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THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

40° VICTORIÆ, 1877.

VOL. CCXXXIV.

COMPRISING THE PERIOD FROM

THE TWENTY-SEVENTH DAY OF APRIL 1877,

TO

THE EIGHTEENTH DAY OF JUNE 1877.

Third Volume of the Session.

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HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

Fourth Session OF THE *Twenty-First Parliament* OF THE UNITED KINGDOM OF *Great Britain* AND *Ireland*, APPOINTED TO MEET 5 MARCH, 1874, AND THENCE CONTINUED TILL 8 FEBRUARY, 1877, IN THE FORTIETH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

THIRD VOLUME OF THE SESSION.

HOUSE OF LORDS,

Friday, 27th April, 1877.

MINUTES.]—PUBLIC BILLS—*First Reading*—Local Government Provisional Orders (Horbury, &c.) * (55), and *referred* to the Examiners; Provisional Orders (Ireland) Confirmation (Holywood, &c.),* and *referred* to the Examiners.

THE EASTERN QUESTION—THE RUSSIAN CIRCULAR.

QUESTIONS. OBSERVATIONS.

LORD CAMPBELL: I wish to put a Question to my noble Friend the Secretary of State, of which I have given him private Notice. On Wednesday there appeared in the morning journals a Russian Circular, and in that document it is alleged that the Emperor of Russia represents the views and interests of Europe. As regards "interests," the assertion may be passed over—every aggressor and spoliator is in the habit of asserting that he was acting in the interests of the world. But the assertion in the Circular that the Czar represented the "views" of Europe involves the dignity and compromises the policy of every Power that does not distinctly repudiate it. I therefore wish to ask my noble Friend how far the assertion is correct as regards the views of Her Majesty's Government?

EARL GRANVILLE: It appears to to me that the Question of the noble Lord is one that opens up considerable matter of debate, and I would therefore ask whether it is one which should be put without public Notice to your Lordships?

THE EARL OF DERBY: When my noble Friend gave me private Notice of the Question he was about to put it struck me that in point of form it was

one of a somewhat unusual character; because my noble Friend does not ask what the Government has done, or what it is doing, or what it proposes to do, but asks whether it concurs in certain statements expressed in a document which has been addressed to us, and to all the European Powers by a foreign Government. It is obvious, as the noble Earl (Earl Granville) has observed, that this is a question which it is not easy to answer by a simple "Yes" or "No," and one which might lead to a very considerable debate. I think, therefore, that I shall best deal with the question of my noble Friend by saying this—that we are in no way bound by the expression of opinion issued by the Russian Government, and that, as a matter of fact, we do not accept or admit the arguments and conclusions embodied in that document.

RAILWAY ACCIDENTS.—RESOLUTION.

VISCOUNT BURY said, that in calling the attention of their Lordships to the Report of the Royal Commission on Railway Accidents and to move a Resolution, he felt that on this subject he was speaking to an assembly of experts, so large had been the share taken by their Lordships in railway legislation and in inquiries as to the working of railways. He had, however, brought forward his Motion in order that the matter might be fully and fairly discussed. The principle on which Parliament had hitherto acted was that they should exercise a general supervision over railways, but that it would be injudicious to interfere by legislation with the details of railway management. That principle had received the sanction of several Royal Commissions and Parliamentary Committees; and the Royal Commission, to the Report of which he was about to call attention, and which was appointed in 1874, having given a summary of what had been done by the Committee of 1857-8 and by the Committee of 1870, and of the results attained by the labours of those Committees and by several statutes, commenced the second part of its Report by laying down in broad and simple terms that it would be highly injudicious for Parliament to interfere with the details of railway management. But having done that, the Commission—strangely enough—proceeded to contradict its own proposition and to make a series of recommendations which were a direct interference with the details of railway management. His noble Friend (Lord Cottesloe) had given Notice of an Amendment to the Motion, which proposed in effect the adoption of the recommendations of the Royal Commission. He (Viscount Bury) thought he was entitled to ask his noble Friend what part of those recommendations he would have Parliament adopt. Was it that part which condemned the interference of Parliament or that which, if adopted, would be a direct interference on the part of the Legislature? It might be well, in the first place, to consider in what our railway system consisted. When, in 1846, railway losses became so severe and the profits on railways almost *nil*, shareholders' railways were no longer constructed. Small lines were then amalgamated, and the great trunk systems were formed by amalgamations. The public was not satisfied with that state of things; every market town wished to have its line to the Metropolis; and railway contractors discovered the means of "financing" railways and so perpetuating the schemes by which they had become rich and prosperous. Thus the railway system of the country was extended in a hap-hazard manner, and was not based on any sound conditions. Taking all Europe, there were three systems of railway management. Under one of those, railways were entirely subject to Government control. Under another the railways were governed by Railway Boards, but were subject to Government supervision; and under the third the Railway Boards were subject only to Government interference. Now, he thought it could be easily shown that from the earliest period of railway legislation in this country the principle steadily adhered to had been that Parliament should not interfere in the details of railway management or take in any degree from the responsibility of a Railway Company for the safety of its traffic. Lord Campbell's Act, under which compensation could be obtained for injuries on railways, went on that principle; and it was obvious that for the State to enter into the details of railway management would be a hopeless undertaking unless it took the railways into its own hands. Except in the latter circumstances, it must acquire its experience through

railway managers, and could only be their mere mouthpiece. What he objected to, therefore, in the Report of the Royal Commission was that, by the 12 Resolutions therein contained, the Commission subverted and controverted the general principle with which its Report set out. The Commission had shown very considerable industry, for it had asked about 40,000 questions. The noble Earl (Earl De La Warr), who succeeded the Duke of Buckingham as Chairman of the Commission, had also shown great ability throughout the inquiry, and upon upon him, in the first instance, devolved the labour of drawing up a Report; but unfortunately the Commissioners were not of one mind, and instead of having one Report to guide them, their Lordships would have to consider a number of Reports. Only four of the Commissioners signed the Report of the Commission without comment; and Mr. Ayrton, one of the ablest men on the Commission, refused either to sign the Report or give any written opinion of his own, though he had closely attended to the labours of the Commission during the examination of the witnesses. The noble Earl (Earl De La Warr) drew up a separate Report; and Mr. Harrison—a late President of the Institute of Civil Engineers and a most able man—though he signed the Report of the Commission, signed a separate one also, in which he quarrelled with the Commissioners on nearly every point of their Report. So that the Report was not only discordant with itself, but was signed without comment by only four of the Commissioners. He would remind their Lordships as to the present state of the law and as to the authority under which the Railway Companies carried out their functions. As their Lordships were aware, a special Board was constituted in 1845 which exercised powers similar to those now vested in the Board of Trade. But in 1861 this separate Board was abolished, and the Board of Trade was restored to the provision assigned to it by former legislation, and resumed the authority which it had formerly exercised. The functions of the Board of Trade in this respect were derived under several Acts of Parliament. The Board granted certificates to Railway Companies authorizing them to enter into agreements with each other, and to enter into provisional contracts. No railway might open for traffic till the Board of Trade gave it a certificate. In the case of a disagreement between various Railways the Board of Trade might, with their consent, arbitrate between them. The Board of Trade might authorize the construction of bridges over level crossings, condemn illegal and dangerous gauges, regulate the speed of mail trains, sanction bye-laws, and, in certain circumstances, authorize the abandonment of schemes and extend the time for taking lands. But no Act of Parliament conferred anything like executive authority on the Board of Trade in respect of railways. It could not initiate any new policy or command anything to be done. To confer executive authority on the Board of Trade could only be justified by some failure of the present law that could only be obviated by such a step. Was it true that railway accidents had increased so much of late years as to render it necessary to depart from the present system? He found from the Report of the Commission that the number of passenger journeys in the years 1872-3-4-5 were, in round numbers, 1,863,000,000; and during the same period the number of deaths caused by accidents to trains was 155: so that the proportion of passengers killed by causes beyond their own control amounted to 1 in 11,500,000, and the proportion of passengers injured 35 in 11,500,000. No doubt the total number of persons injured was considerable; but when the extent of railway travelling in the United Kingdom was considered, he thought it could hardly be said that our railway travelling was otherwise than extremely safe. In speaking of the causes of railway accidents the Commissioners, adopting a word invented by Captain Tyler, stated that "human fallibility" was the great cause. It was impossible to eliminate the carelessness of human beings from the calculation of railway accidents. Human fallibility was the principal thing to be guarded against. That might be done by discipline and improved machinery; but legislation would not be effectual against it. The Report of the Commission recommended the extension of the civil liability of Railway Companies for accidents to their servants and of the criminal liability of the latter for negligence endangering human life. The noble Duke (the Duke of St. Albans)

had before their Lordships a Bill relating to the liability of Railway Companies in respect of their servants. If there was to be legislation on that subject, it would be better in the form proposed by the noble Duke than in that recommended by the Commission; but he did not believe that such a Bill was necessary, because the subject could be dealt with in the general question of masters and servants, which was before the other House of Parliament. Then, as to the recommendation that there should be a tribunal for the trial of cases of unpunctuality by railways, that was not desirable—and for the obvious reason that where the traveller passed over several lines in the course of his journey the question of responsibility for the unpunctuality might be an intricate one. To fasten the offence on the last of the concurring lines might be very unjust; and therefore he did not think that any tribunal could deal cheaply, speedily, and satisfactorily with such questions. Then, as to brake power, the Railway Companies were at present in communication with the Board of Trade on that subject; he thought the Board of Trade would be able to come to a satisfactory conclusion; but he thought the Railway Companies themselves might be left to make their own regulations on that head. An important point involved in the question of brake power was the excessive speed at which trains were now run. He believed that if the speed were diminished the enormous brake power of which their Lordships had heard so much would not be required, and that a great source of danger would be thereby eliminated. The Commissioners did not report that excessive speed was a source of danger; but he thought common sense showed that excessive speed constituted a real and fruitful source of serious casualties. Only for excessive speed there would be no occasion for extraordinary brake power. When trains were driven at a speed of 55 or 60 miles an hour great weight must be placed on the driving wheel of the engine to make it bite the rail, and the engines of such trains must have driving wheels of very large diameter, or otherwise they could not effect the revolutions with sufficient velocity. The consequence was that those express trains running at enormous velocity knocked the line about in a manner that trains running at moderate speed—say 40 miles an hour—did not. There were a great many railways on which trains were run at a velocity exceeding 40 miles an hour; but in his opinion, and in the opinion of many competent engineers, 40 miles an hour constituted the limit which could be obtained with safety. If the public, however, insisted on being carried at the rate of 55 or 60 miles an hour it was only right they should know that that could not be done without the risk of imminent peril, and that when under such circumstances an accident happened the responsibility rested morally on those who insisted upon being driven at such an enormous speed. Again, as to continuous brakes—he held that great danger might result from their use. There were engine-drivers who would drive at the highest speed to the last moment, and there was in consequence every chance of running 30 or 40 yards beyond the station at which the train was to stop, and then the brake would be put on, and every time they were used on a train travelling at high velocity, they would cause a strain that would initiate mischief to the rolling stock. The strain of a continuous brake on carriages recently taken from a siding and attached to a train which had been travelling would be greater than on the other portions of the train, and might cause axles to break. His opinion, and that of men who were much more competent to form an opinion on the subject, was that continuous brakes would be a source rather of danger than of safety. There was another consideration—namely, that if the use of any particular appliance was made compulsory on Railway Companies the effect would be to stop all improvement in that direction. Captain Tyler considered that if the annual reports of Railway Companies were continued, those Companies which had adopted improvements would, in consequence of their own experience, go on improving, instead of relying on what they had already done. But Captain Tyler considered that it would be extremely unwise to impose on the Board of Trade the duty of deciding between rival appliances of brake power. Having quoted the testimony of Mr. Farrer and others against allowing the Board of Trade to determine whether increased station accommodation was required, the noble

Viscount Bury

Lord said that all the evidence came to this—that if such a power was given them the Board of Trade must assume the total responsibility of the line. With regard to the appellate jurisdiction, Captain Tyler's evidence was conclusive, for he said that if that was given, the Companies would be relieved of their responsibility, further invention and improvement would be discouraged, and undue responsibility would undoubtedly be thrown on the tribunal. There was a great deal more to the same effect; and all the evidence he had been able to collect proved that if you increased the power of the Board of Trade and gave it, not a consultative, but executive authority, you must go further, and assume the control of the railways by the State. The amount of money at present invested in railways was so enormous that such a proposal would not for a moment be entertained. But that was not the question now. The question was whether the position of the Board of Trade should be changed —whether, instead of being a merely consultative body, with power of investigation, report, and constant supervision, it should be enabled to say to the Railway Companies that such and such things must be done. His belief was that the principle laid down by the Royal Commission was the right one, but that the Resolutions they founded on it were not right. His noble Friend (Lord Cottesloe) would, he believed contend that the Resolutions of the Royal Commission ought to be carried out. It appeared to him, however, that, instead of giving further powers to the Board of Trade, it would be far more reasonable to embody in a Bill such requirements as ought to be demanded from Railway Companies, and then to give to the Board of Trade, as the representative of the Legislature, the power of remitting those requirements where it thought that could properly be done. Such a course would save the principle, which he believed to be a just one; would not impose on the Board of Trade other duties than those which from the earliest times of our railway history had been recognized to be right, and would preserve the logical consistency of our legislation. Let it not be supposed that in the arguments he had used he had spoken in the interests of the Railway Companies. He had spoken in the interest of the public safety, because he believed that interference in the details of railway management would introduce a new danger into railway travelling. He thought the Royal Commission deserved every credit for what they had done, but it was their principles and not their Resolutions that should be carried into effect.

Moved to resolve, "That direct legislative interference with the details of railway management tends rather to increase than diminish the danger of accident by dividing responsibility; that Parliament in dealing with regulations for the prevention of railway accidents has hitherto always recognized this principle; and that in any legislation which may from time to time become necessary on the subject, the necessity of maintaining the undivided responsibility of Railway Companies for the safe conduct of their traffic ought to be kept steadily in view."—(*Viscount Bury.*)

THE DUKE OF ST. ALBANS, in moving the Amendment of which he had given Notice, to insert after the words "the details of railway management" the words "except in so far as relates to the systematic overwork of railway servants," said: It is not my intention to trouble your Lordships with the battle of the brakes and many of the subjects which this Report deals with in connection with railway management. I would ask your Lordships' indulgence to refer to that portion which deals with the overwork of railway servants, and to bring before your notice the disastrous consequences which have arisen in consequence. I go, to a certain extent, with the Motion of the noble Lord (Viscount Bury), believing that the public interest will be best served by not interfering with the responsibility of the Railway Companies, and by punishing them severely when they fail. I go, however, further, and think when it does appear that by the action of Railway Companies life and property confided to its charge have been imperilled, though no actual loss has occurred, the Company ought to be liable and summarily punished. On the question of the "systematic overwork of railway servants" the Report of the Royal Commissioners is clear — the Great Eastern Company holding a dishonourable distinction. The Commissioners, after much care and after many difficulties thrown in their way by some Companies, have proved that in many cases the duties ordinarily exacted from the

men are too protracted. Having established this, they relinquish the result they have arrived at, and say it is obviously true that railway managers and superintendents are the best judges of the capacity of their *employés*. The subject of overwork has come before the Commissioners in reference to accidents on railways, and is referred to in the evidence. I have to ask your Lordships' permission to read certain facts in Captain Tyler's Reports to the Board of Trade of 1875 and 1873, and your Lordships will judge if it is so.

Captain Tyler's General Reports to the Board of Trade, 1875.

Lancashire and Yorkshire:

"January 1st.—Seven persons injured. The guard was to blame for not having lighted the tail lamps. There was some excuse, however, for those men. They had at the time of the collision been on duty for an uninterrupted period of 22 hours.

Potteries and North Wales Railway, 1875:

"28th December.—Four persons injured. The station master had to do the guard's duty when he was taken ill. The hours of the signalman were too long."

Midland Great Western, Ireland:

"30th October.—One killed and seven injured. The engineer and his firemen had been on duty 18½ hours."

Waterford and Limerick:

"4th November.—Engine driver had been on continuous duty 21 hours."

Lancashire and Yorkshire, 1873:

"6th November.—Fourteen passengers, the driver and guard injured. The engine driver of the goods train had been 25 hours on duty."

North Eastern:

"21st December.—Six persons bruised. The inquiry disclosed the objectionable practice of keeping a signalman on duty 16 hours."

North Staffordshire:

"26th September.—Guard injured, and died in consequence. He had been 19 hours on duty, and was over-fatigued and omitted to apply his break. The driver of the pilot engine was stated to have been confused by drink after having been on duty for 32 hours. He was employed altogether for 40 hours. The fireman had been asleep on the engine, and was unfit for duty."

These are cases which have been brought under our notice, because accidents occurred; we hear nothing of many narrow escapes. I wish to know from Her Majesty's Government if they intend to remove or lessen this source of danger to railway travelling, especially as the Report states that the Board of Trade have no power in the matter. I am surprised when I read these Reports, that the Board of Trade have rested content, but I suppose it requires a Plimsoll to rouse that apathetic Department. The Board of Trade does, no doubt, much useful work; but if it had been left to that Department, rotten ships would still continue to navigate our seas; and I am afraid if we have to wait for the Board of Trade to move, tired pointsmen and overworked engine drivers will continue to hurry the public to destruction. It is true that the Commissioners deprecate interference on this head, since Parliament has never applied the principles of the Factory Acts to adult labour. This case is, however, not one of two parties, *sui juris*, and able to take care of themselves. It differs, because not only Railway Companies and their servants, but also the public in the matter of their safety are affected; and therefore it is not one of those cases in which contractor and contractee alone have an interest. Mr. Cross, in 1875, acknowledged this in the Conspiracy Act in which he drew a distinction between workmen employed in ordinary work, and workmen engaged in supplying a town with water, gas making, &c., &c.—and in the latter case, where the safety of the public was involved, he made them punishable in a criminal, as well as in a Civil Court. I have had the honour to lay upon your Lordships' Table a Bill on this subject, which I hope to explain at the proper time. I should, however, be most glad to be relieved of the responsibility by the Government incorporating the subject in any measure they bring in. I should be most glad if some simple means could be adopted to restrain Railway Companies from keeping men employed 20 and 40 hours at great risk to the public safety; but when a strong Government recoils in evident terror from interfering with so powerful an interest, I must acknowledge the difficulty of a private Member being successful. The Crown cannot, nor does it desire to, influence the decisions of Parliament. It is a much more real danger, lest some great interest created by the flow of capital, in this country, should become too powerful in Parliament. Against this no safeguard exists. Of existing interests the Railway Companies are most

powerfully represented both in your Lordships' House and "elsewhere." I do not mean that a Member of either House would sacrifice his convictions because he is a Railway Director, but it is natural; and to be consistent a Railway Director must support in Parliament the policy he has approved on his Board. I mean they do not come with independent views having prejudged the subject. I am not surprised that in the face of this powerful phalanx, the Government should have shifted their responsibility in the matter on to a Commission, and now we have the Report that they should be anxious to deal tenderly with the railway interests. The travelling public, however, may well think sufficient time has already been allowed to pass, that the courtesies between the Board of Trade should cease, and that something should be done in the matter.

An Amendment *moved*, to insert after the words ("the details of railway management") the words ("except so far as it relates to the systematic overwork of railway servants.")—(*The Duke of Saint Albans.*)

LORD COTTESLOE, who had given Notice to move an Amendment, to leave out all the words after the words ("dividing responsibility") and to insert—

"Without, however, impairing the responsibility of railway companies for the safety of their traffic, it is expedient that further precautions should be taken for the provention of accidents on railways by enforcing on railway companies by legislative enactment the adoption of those mechanical contrivances and recognized improvements, the value of which has been thoroughly ascertained. That the recommendations contained in the Report of the Royal Commission on Accidents on Railways are deserving of the fullest and most favourable consideration; and if they be adopted by Parliament, subject to such modifications and amendments as on further inquiry it may be proper to suggest, many causes of accident will be removed, and additional security will be afforded to all persons who have occasion to travel by railway, and to the servants of the railway companies,"

said, that he had given some attention to this subject, and that was the reason why he had given Notice of his Amendment to the Motion of his noble Friend. With regard to the Resolution of his noble Friend, he saw no objection to it; it seemed to be carefully drawn, and its principle was that which had been admitted by the Railway Commissioners. But his objection was that if it should be agreed to, it would be saying, in effect, that the labours of the Commissioners should be passed over, that it was unnecessary to make any changes, and that the public safety was sufficiently cared for and required no additional protection. But, in his opinion, the Report of the Commissioners contained many recommendations that ought to be carried out. It was wonderful that as things were there should be so little loss of life. The noble Lord (Viscount Bury) objected to a Government interference with the internal management of railways: but that was no new principle—it was done already in the cases of mines and factories, and had been recently applied to shipping. Now, he (Lord Cottesloe) thought that as there were many Departments of the Government which had Inspectors to see that the provisions of certain Acts of Parliament were carried into effect, so the Board of Trade ought to have Inspectors to see that the Railway Companies performed their duties; and it should be left to the Board of Trade to say whether certain things were properly done. The Report showed that stations and sidings were much too small, and were a great source of danger; and the Board of Trade could be properly employed in seeing that they were made larger and gave more accommodation to the public. Again, the Report showed that the rate of speed was too high, and also that the platforms should be continuous. At present they were a gratuitous danger placed in the way of the public, and nothing could be easier than to remove it.

THE EARL OF BEACONSFIELD: My Lords, your Lordships' attention has been called to-night to a great subject—perhaps the greatest domestic subject that can come under your consideration—and I would wish to induce your Lordships not to arrive at any rash conclusion on this occasion. My noble Friend behind me (Viscount Bury) who brought forward the whole matter in an able speech, appeared to wish to concentrate the whole responsibility for the management of the railroads on the Railroad Directors. He wishes, to use the language of his Resolution, to establish "the undivided responsibility of Railway Companies." Now, my Lords, I am perfectly willing to bear my testi-

mony—as I am sure all your Lordships would be equally willing to do—to the efficiency with which the Railway Companies of this country are managed. At the same time, I am not prepared to support any change which would remove that degree of control—not, in my opinion, an extravagant one—which at present exists, and, therefore, I feel it my duty to oppose the Motion of my noble Friend. I must, however, bear testimony to the able manner in which he has introduced the subject and to the acquaintance with its details which he has shown. Well, the Amendment of which Notice has been given by my noble Friend who has just addressed us (Lord Cottesloe) is in favour of a policy exactly opposite to that which is recommended in the original Resolution. My noble Friend would remove to a great degree the responsibility that now rests upon the Railway Boards, and he recommends a course which your Lordships would at once see would be a great departure from that policy which hitherto has been observed with respect to all these enterprizes. We have always held that the responsibility of the managers of the railroads should be as great as is consistent with public safety; but, having regard to the public safety, we have established a control which, though certainly not a stringent control, is yet a salutary one, and which in practice is much more powerful than it would appear to be from the letter of the statute—because, as the exponent of public sentiment and armed with great experience, the Board of Trade is listened to when it makes suggestions with as much attention as it would be if those suggestions were backed by legislation. I am unwilling for my part to recommend or sanction in any way any deviation from the policy which has hitherto been pursued, and which is contrary to that which is recommended in the Amendment of my noble Friend who last addressed us. But that Amendment was preceded by another—that of the noble Duke (the Duke of St. Albans). I regret that I do not find myself in a position to agree to any of the courses which have been proposed this evening. I understand the plan of the noble Duke to be to apply the provisions of the Factory Acts in the case of railway servants. Now, I think there is no Member of your Lordships' House who is a warmer supporter of those Acts than myself. I think they have contributed much to the happiness and in a great degree to the prosperity of this country. But hitherto, although we have applied the qualifications and conditions of the Factory Acts to female and infantile labour—to women and children—we have hitherto been always strictly on our guard not to extend them to adult males; and I cannot believe that the proposal in the present case is one that would really be popular with the great body of the railway servants, or that it would tend to the convenience or safety of the passengers;—because it is easy to conceive circumstances in which a sudden withdrawal of a railway servant from his duty at the close of the statutory hours of labour might occasion considerable danger, and, perhaps, disaster. The principle upon which the recommendation of the noble Duke is founded is in my opinion a vicious one, for between men and their employers, the law, to my mind, should not interfere. Well, after noticing the original Motion and the two Amendments, we come to consider the recommendations of the Report of the Royal Commissioners. I can assure my noble Friend who last addressed us that I have no wish in any way to diminish the authority of those recommendations. In answering a Question at the beginning of the Session, when Government were pressed to act upon their very voluminous and elaborate Report, which was founded on labours extending over two years, I did remark that the Report was not introduced to our notice by a unanimous opinion of the Royal Commissioners. My Lords, I must say that was a fact which at the first blush would naturally make any one responsible for acting on the Report hesitate in order that he might well consider it. There is no wish on my part to undervalue the labours of the Commissioners—indeed, those labours cannot be too much appreciated, because in the evidence which was collected, and collected by men of acuteness and ability from persons of much experience, there is an inestimable mass of knowledge on a subject which is one of the most interesting to this country. All that I wanted then and wish now to do is to impress upon your Lordships that it would be well not to be precipitate in acting upon the re-

commendations or suggestions that may be in that Report, and that it is desirable to let those recommendations and the evidence on which they are founded be well digested both by Parliament and the Government, in order that such propositions may be made as the necessity of the case may require. Now, in the first place, we must remember that in many of the recommendations of the Commissioners there is involved a great transference of the powers of the control of Parliament to the Board of Trade or some other body, and I would remind your Lordships that that operation alone is a matter which induces considerations of the utmost gravity and difficulty. It opens the whole question of Private Bill legislation and of our system of Provisional Orders. Now, it would be perfectly unfair—and would be not only unfair but useless—to call upon the Railway Companies to increase, for example, their sidings and their stations, to build bridges and lodges, and greatly to alter and increase the accommodation which they provide for the public, without at the same time giving them the necessary powers to carry these improvements into effect. You must give new powers. To the new Department that is proposed you must give power to buy land compulsorily and to raise new capital adequate for the occasion. All these are important considerations which require the closest attention before such a plan should be adopted. Suppose you say—"We will trust these new powers to the Board of Trade—we will agree to a transfer of this authority from Parliament to the Board of Trade." You would have to consider then whether you would have new legislation independent of all preceding legislation on the subject, or whether you could attain your ends by an extension of the general Acts that now exist; or you might have to consider whether you could not effect your object without forfeiting your authority in Parliament; whether the Board of Trade might not have power to consider these particular points in the administration of particular railways, and whether they might not report to a Parliamentary Committee. Then your Lordships would have to consider whether it should be a Joint Committee, and also the powers which it might be necessary for that Joint Committee to possess. These are the first inferences which occur to me from the speech of my noble Friend. Your Lordships will see that these are complicated considerations, and that it is impossible, without careful discussion, that we can arrive at clear and safe results. There was another point referred to by my noble Friend who introduced the subject, and also by my noble Friend who last addressed us—the question of the Appellate Courts. I do not wish to give anything like a definitive opinion on this occasion; but I must say the suggestion of Appellate Courts in the Report of the Royal Commission is not to me an altogether satisfactory one. It is not one at all in harmony with the Parliamentary practice of this country that there should be a Department of State presided over by a Minister of the Crown sitting in one of the Houses of Parliament, and responsible—clearly and evidently and momentarily responsible—to Parliament, and that its decisions should be subject to an Appellate Court which is altogether irresponsible. That is not the way in which hitherto we have been accustomed to carry on the public business of this country, and I should hesitate very much—I should require much consideration—before I could accept an Appellate Court such as the Royal Commission recommends. Then there are in the Report of the Royal Commission suggestions about the Railway Commissioners which, I think, are hardly well considered. It appears to me that under the recommendations of the Royal Commission the present Railway Commissioners might really have no small share in the management of railways. Now, the duties thrown upon the Railway Commissioners are eminently and essentially judicial; and it has always been held as a principle—and, I believe, a sound principle—that you should refrain as much as possible from mixing up judicial duties with executive functions. I foresee great confusion and dissatisfaction that might arise unless we guard ourselves carefully in these matters. Then there is the block and interlocking system. I must say that my noble Friend, who is well informed on all the details of the subject, did not appear to me to place that matter before the House quite in the light in which I think it might truly be placed. The block and interlocking system is not

a new subject for legislation. We have attempted to legislate for it in this House itself. My noble Friend the noble Earl (Earl De La Warr) who takes great interest in this subject, dealt with it in a Bill, and a Bill well worthy of consideration, which was read a second time and referred to a Select Committee. That Select Committee which was presided over by a noble Duke who sits, unfortunately, opposite (the Duke of Somerset), but whose vigorous mind was particularly well qualified to deal with the subject, took evidence of the highest quality from men who were perfect masters of the subject; and what did they report? They reported that it was advisable not to legislate, because the evidence which they had received showed that all the chief railways were giving great attention to the subject, and were making experiments, and even improvements; and they recommended that they should place themselves in constant communication with the Board of Trade,—at least, that is my recollection of the Report of the Committee, and I believe it to be accurate,—and that the Board of Trade should at times and periods specifically inform Parliament and the country of the progress made in that respect. Well, I am not myself aware that there has been any failure of the expectations of that Committee, and what I heard from my noble Friend who last addressed us, when he quoted the evidence of Mr. Moon, was an eulogium of the admirable manner in which that gentleman, distinguished for his management of railways, had carried into effect all the recommendations and suggestions which had been made with regard to the block and interlocking system as far as was practicable. Therefore, I should hesitate before taking any too decisive a step in that direction. Well now, I confess that although my noble Friend who last addressed us did full justice to the subject, I cannot bring myself to believe that continuous footboards really depend upon legislation. If they cannot have continuous boards without coming to Parliament, I really think Railway Directors must be in a state of great degeneracy. I believe that to be a subject which Boards of Directors could deal with amply and efficiently. There are two other subjects of great importance which, though at the first glance they appear easy to deal with, the House will, I think, admit should not be dealt with too hastily. The one is punctuality, and the other is continuous brakes. Now, there is not the slightest doubt but that a great virtue—perhaps, I might say the greatest virtue—in railway management is punctuality. There is nothing, evidently, that contributes so much to the convenience and to the safety of passengers as punctuality. But there may be some circumstances in which an artificial punctuality may be not only not to the convenience, but to the extreme danger of passengers. That punctuality which is to be secured by fines and penalties in case of its not being observed stimulates and encourages unsafe expedition. Not long ago a great railway disaster occurred because the driver had lost time through a severe snowstorm, and had put on steam in order to avoid unpunctuality and its penalties. Therefore, it is not quite clear that you can by a dash of the pen or the issuing of an order obtain punctuality on railways. It is a subject which requires consideration, and must be approached with that feeling with which one always approaches problems that are difficult of solution. On the question of continuous brakes there is a great difference of opinion. To decide upon an efficient form of continuous brake is no doubt one of the chief objects which those connected with railways are desirous of accomplishing. Are not the Directors of all the great lines giving their attention to the subject? The Board of Trade is, I know, in negotiation with all the railways, and is constantly receiving reports, upon the subject. Experiments are making; inventions are being examined and tried; and soon, I have reason to believe, a Report from the Board of Trade in reference to these matters will be placed on the Table of your Lordships' House. In these circumstances I hope your Lordships' House will not be required to express an opinion upon the questions before it. The subject of railway communication is one which every year will become more and more important. I do not know that at this moment there is one to which more science, attention, or capital are ready to be devoted. In the remarks I have made I do not mean to say that it may not be necessary to legislate upon the subject. There are some points on which it is clear that we could not act without

legislation. Extreme or excessive speed on bad lines is, no doubt, a subject which requires attention. The use of brake power generally is a matter which requires legislation. The conditions as to the opening of new lines are again a subject on which legislative power is needed. But still, even in these instances, the moral influence of the Board of Trade would have great effect in mitigating evils. What I wish is that, having these documents before us, having the Report, with this immense body of evidence which the Government have now been for some time examining and digesting, we may not at this period of the Session be called upon to legislate; but, taking the general view I have done of the position, which I believe is a just and candid view, we shall be allowed an opportunity of further considering this matter.

LORD CARLINGFORD said, their Lordships would probably all agree that it was far better in the interest of the public and of Parliament that the Government should maintain their entire freedom of opinion and decision on this extremely difficult subject of legislation. Their only wish could be that the Government should feel and bear the responsibility of forming their own decisions on the extremely difficult matters of legislation which were contained in the Report; and that when the time arrived the Government might find themselves in a position to give an opinion to Parliament either in favour of the necessity of legislation or against it. His noble Friend opposite (Viscount Bury) desired to hold back the Government altogether from any action in this matter. After the speech of the Prime Minister he did not think that the Government required much holding back. It would be exceedingly unwise for the House to give its authority to all the recommendations of the Royal Commission, and he trusted it would turn out that in regard to many of those recommendations legislation might not be necessary. As to some of them, there were great reasons for hoping that what was requisite might be done by the voluntary action of the Companies themselves, under the pressure of the opinion of the public and of Parliament. A great deal had already been done, and was still being done, in respect to the block system, and the system of interlocking points and signals under the pressure of public opinion and of the Report of the Committee of that House, which had been alluded to. But he was not so sure about all the points included in the recommendation of the Commission. Continuous brakes would no doubt be an important means of safety, considering the rate at which many trains travelled; and in that matter the Companies up to this moment were in an extremely unsatisfactory position; and he was not persuaded by what had fallen from his noble Friend opposite that that arose from any idea of danger to the public from the use of such brakes. On the contrary, he believed that the importance of their use for safety in railway travelling was established. There were a number of competing interests of a pecuniary kind which made it difficult for the Companies to decide on one or more of the different inventions which had been introduced; but if the Companies held out and refused to meet the views of Parliament and the public in that matter, he was not prepared to say that compulsory legislation might not be necessary. In regard to the condition of the permanent way and the rate of speed at which it would be safe to travel over it, he thought that Parliament might do more than it had done for the purpose of obtaining additional securities in those respects. The Board of Trade had certain powers in that direction already on the opening of a new line; and there would be no insuperable difficulty in the Board of Trade afterwards interfering to repeat the process if necessary, and requiring the Company to put the permanent way in a safe condition. The late accident at Long Ashton, though it was not attended with great loss of life, was nevertheless by its nature one of the most formidable accidents they had had, and one that was well calculated to alarm the travelling public; and he thought the Board of Trade, or whatever other body might be entrusted with such functions, should have the power of forbidding a Company to run its trains at beyond a certain rate of speed on a line which was in a defective state. There was another point to which he wished to direct attention, and that was as to the body which should exercise compulsory powers. He did not think the Board of Trade was adapted for

that purpose; but other means might be found for carrying into effect the recommendation on the subject. In the Railway Commission—a body which had acquired the confidence both of the Railway Companies and the public—a tribunal such as was required might, he thought, be found. The Board of Trade might be kept strictly within administrative limits; it might bring cases of sufficient importance before the tribunal and support its views by the ample means at its disposal, while the Companies could defend themselves in the same way. The objection of the noble Earl (the Earl of Beaconsfield) would not apply in this case, because the tribunal would be judicial, and once it had given its decisions the Board of Trade would carry them into effect. He was content, however, to leave the Government free on their own responsibility to deal with all these points. He did not think, from what they had heard to-night, that there was any reason to fear rash or rapid legislation.

THE EARL OF ABERDEEN said, that as a Member of the Commission which had inquired into the subject he desired to make a few remarks. And, first, with regard to the objection pointed out by his noble Friend (Viscount Bury) that many, or some, of the recommendations made by the Railway Commissioners were inconsistent with the principle they had laid down—namely, that the responsibility of Railway Companies in working their traffic ought not to be impaired. But he denied that that was the case. For instance, as regarded the application of mechanical inventions and appliances the Commissioners carefully abstained from specifying any, so as to leave free scope for the ingenuity of inventors. Then came the question as to excessive speed. On that point he might remind their Lordships that the most eminent and experienced engineers in the country held that speed in itself was not a source of danger, provided the permanent way was in good condition, and capable of bearing the strain thrown upon it. Next came the recommendation of the Commissioners with regard to brake power. But the Commissioners did not pretend to say that Parliament ought to specify the means by which trains should be stopped within a certain distance. The Companies were left free to devise whatever means they might find best for accomplishing that object. Neither did they say that continuous brakes were the only means — scope was thus left for future ingenuity. The noble Earl had alluded to the recommendation of the Commissioners of continuous footboards. It might seem as if that matter was too trivial for legislation; but the want of continuous footboards was a matter that was constantly insisted upon in the Reports of the Board of Trade, and it must therefore be supposed that they attached considerable importance to these footboards as a means of safety. Continuous footboards were, no doubt, very useful and very important; but he did not think they would be sufficient in themselves to remove all cause of danger so far as the carriages were concerned. As some reference had been made to the relations subsisting between the Board of Trade and the Railway Commissioners, he would beg to observe that he spoke for his brother Commissioners when he said that in the recommendations they had made, the last thing that could have entered their minds was to show any disrespect towards the Board of Trade, or any want of appreciation of the importance and dignity of its functions. The fact that they wished to confer additional powers on the Board showed what confidence they felt in the Department. He thought that the Reports of the Board of Trade would have additional dignity and weight if the name of the President instead of the officers of the Board was attached to them. Looking now at the question of the railway servants, and the remarks that had been made on the subject, not only by the noble Duke, but also by some other noble Lords who had spoken, it was no doubt true that a great many accidents were attributable to the failure of railway servants to perform their duty accurately. But it should be remembered that it was easy to suppose an accident which should be caused apparently by the failure of a railway servant to do his duty; while, at the same time, by looking into the matter a little more closely, they might find that the servant had not at hand all the means necessary to enable him to perform his duty. For instance, there was the case of an accident arising from a servant having given the wrong signal: the accident was therefore attributed to

the signal; but the Inspector pointed out in his Report that the accident could have been prevented if some particular contrivance had been adopted. That was one instance, and several might be adduced; and it was a reason why further attention should be devoted to all such cases. With regard to railway servants, it was sometimes said that in these days they expected every advantage and even luxury. That was not true: on the other hand, increased demands were made upon them, owing to increased traffic and an increased number of trains and of signals. But though our ancestors used rushes for carpets, and rode in waggons, a good carpet was not looked upon as a luxury—and there were certain lines upon which the Directors might improve the condition of their servants by a comparatively small outlay—such as giving protection for their engineers, which had been adopted on some lines, but not on others. Many points had been brought out by the Report on Accidents which deserved to be inquired into; but at that late hour he would not further detain their Lordships. For the last 15 years he had opportunities of studying railway work in all its branches, and these opportunities had been given him by the courtesy of gentlemen responsible for the management of railways. But men of the greatest experience who had been in the habit of observing things from one point of view might, perhaps, receive useful suggestions from others who had no interest or bias in any direction.

LORD HOUGHTON said, that the tone of the debate would be most grateful to all persons connected with railway management, and he could assure the noble Earl (the Earl of Aberdeen) who had conducted the labours of the Commission with so much intelligence, that the Companies would do all they could to carry into effect the recommendations of the Commissioners. With regard to the use of continous brakes, he wished to state that on two-thirds of the whole railway mileage experiments were going on under the direction of the most skilful engineers, and if there was delay in the adoption of any one particular brake, it proceeded not from negligence, or from any mistaken economy, but solely from the conflicting opinions of experts as to which brake was the most effective. As to speed, he was sure that Englishmen could no more be prevented from desiring to travel at a high rate of speed, even at considerable risk, than their Lordships from desiring to go across country at the best speed of the best and fastest hunter. It was the habit of the English, and they would indulge it. The noble Duke (the Duke of St. Albans) had alluded to the Lancashire and Yorkshire Railway. He regretted the accident which had occurred as much as anyone, but every possible precaution had been taken. The noble Earl opposite had given due credit to the Railway Companies for their zeal, which zeal, strange to say, was sometimes the cause of accidents. And there were many other causes, of which one was, in very exceptional cases, over labour.

THE EARL OF BELMORE said, that having been one of the Commission, he desired to offer a few remarks. The noble Viscount (Viscount Bury) stated that the principle had been laid down that the responsibility of the Railway Companies was by the Commission not to be impaired; but he thought he should have referred him to the chapter of the Report in which that responsibility was laid down. There were some exceptional cases in which Railway Companies had been found not to act up to their responsibility, and in those cases it was recommended that power should be given by which certain steps could be taken. He would like to say a few words on the question which he thought the most important of all—namely, the question of brake power. The Commission had recommended the adoption of no particular brake—they simply recommended, what had been proved to be practicable, that every train should be supplied with a brake capable of bringing the train to a stand-still within 500 yards. Two years ago very extensive experiments had been made at Newark, and though no particular brake was adopted, it was found perfectly possible to bring up the train within that distance. Officers of the Great Western and Great Northern Railway Companies had told him as witnesses the result of certain experiments. A Great Western Railway train of ordinary weight, with seven carriages, one with a brake, one brake van, and tender brake, travelling on the broad gauge at 55 miles an hour, stopped in 890 yards in 58 seconds; at

64 miles an hour stopped in 1,185 yards in 67 seconds; on the narrow gauge a similar train travelling at 52 miles an hour stopped in 965 yards in 70 seconds, at 47 miles an hour it stopped in 853 yards in 68 seconds. On the Great Northern Railway a train of 15 carriages with Smith's vacuum brake, travelling at 56 miles an hour, stopped in 356 yards in 21 seconds; at 40 miles an hour stopped in 153 yards in 17 seconds; at 45 miles an hour stopped in 271 yards in 16 seconds; at 60 miles an hour stopped in 346 yards in 23 seconds. In the face of these facts, he hoped that brakes for stopping trains in 500 yards would be adopted. With regard to the recommendations relating to the Board of Trade, it was clear that some tribunal should have authority over the Railway Companies, and what the Commissioners meant was, that some steps should be taken in the direction recommended by the Commission to modify the power already possessed by the Board. When a Parliamentary Committee had allowed a new Company to come into an existing Company's stations and goods sheds, and had made no regulation as to the responsibility or management, a great deal of difficulty and risk of public danger had arisen. There were, of course, two engineers and two Boards of Directors to consult;—and he might mention Huddersfield station as an instance of an arrangement of this kind. Indeed, it was the case of Huddersfield which mainly led to the recommendations contained in the Report of the Commissioners. As to the rate of speed, the Report showed what the opinions of the Commissioners were, and their recommendations in that respect would, no doubt, be duly considered. The noble Earl at the head of the Government had made some remarks on the powers which the Commissioners proposed to confer on the Board of Trade or some other tribunal, and had observed that this would deprive Parliament of powers which it at present possessed. It was true that the Commissioners did make some recommendations to allow Companies, with the permission of the Board of Trade, to purchase land for the purpose of affording increased accommodation. They did not for a moment propose, however, that any tribunal should be enabled to authorise Companies to raise capital without Parliamentary sanction. It was felt by some of the Commissioners that if Parliament gave extensive powers to the Board of Trade to compel Railway Companies to increase their station accommodation, there ought to be some mode of appeal on the part of the Company from what they might consider an unjust order. This Court was proposed entirely in the interest of the Railway Companies; but his views had been rather modified since Mr. Harrison, who had particularly represented the railway interest on the Commission, had stated in his counter Report that he was not in favour of an Appellate Court; and he now thought that if the Railway Companies did not really want an appeal, but would be content to act upon the suggestions of the Board of Trade without one, the matter of the proposed Court might be allowed to drop. The Commissioners had anticipated the objection of the noble Earl at the head of the Government as to the difficulty of making any Court superior to the Board of Trade. One object in recommending the Board of Trade in preference to a new Court was that it was presided over by a Minister who was responsible to Parliament. Of course, the question immediately arose as to how an appeal could lie from the Minister himself, and he admitted that there could be no Court of Appeal, unless it were presided over by a Judge equal in rank to the Judges of the Supreme Court. There were some other points in the Report of the Commissioners to which he would have directed their Lordships' attention; but in the present state of the House, and considering the full manner in which this question had been discussed, he would not trouble their Lordships with any further remarks.

EARL DE LA WARR said, that as one of the Members of the Royal Commission on Railway Accidents, he would gladly have made a few remarks to their Lordships; but in consequence of the late hour and the present state of the benches on either side of the House, he would defer his observations to some future occasion. After what had fallen from the noble Earl at the head of the Government, he hoped his noble Friend would not press his Amendment to a division.

Amendment (by leave of the House) *withdrawn.*

Then an Amendment *moved*—

To leave out all the words after the words ("dividing responsibility,") and to insert ("without, however, impairing the responsibility of railway companies for the safety of their traffic, it is expedient that further precautions should be taken for the prevention of accidents on railways by enforcing on railway companies by legislative enactment the adoption of those mechanical contrivances and recognised improvements, the value of which has been thoroughly ascertained. That the recommendations contained in the Report of the Royal Commission on Accidents on Railways are deserving of the fullest and most favourable consideration; and if they be adopted by Parliament, subject to such modifications and amendments as on further inquiry it may be proper to suggest, many causes of accident will be removed, and additional security will be afforded to all persons who have occasion to travel by railway, and to the servants of the railway companies.")—(*The Lord Cottesloe.*)

After a short debate, the said Amendment (by leave of the House) *withdrawn.*

Then the original Motion (by leave of the House) *withdrawn.*

PROVISIONAL ORDERS (IRELAND) CONFIRMATION (HOLYWOOD, &C.) BILL.

A Bill for confirming certain Provisional Orders of the Local Government Board for Ireland relating to Waterworks in the Town of Holywood and Greystones—Was *presented* by The LORD PRESIDENT; read 1ª; and *referred* to the Examiners.

House adjourned at a quarter before Nine o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 27th April, 1877.

MINUTES.]—NEW WRIT ISSUED—*For* Tipperary, *v.* the Honble. Wilfrid Frederick Ormond O'Callaghan, deceased.

PUBLIC BILLS—*Second Reading*—Summary Jurisdiction (Ireland) * [127].

Referred to Select Committee—Norfolk and Suffolk Fisheries * [117].

Considered — Public Libraries Act (Ireland) Amendment * [149].

QUESTIONS.

THE SUGAR CONVENTION.—QUESTION.

MR. WAIT asked the Under Secretary of State for Foreign Affairs, If he is in a position to give the House any information as to the present state of the Sugar Bounty question; and, if he can hold out any prospect that the Convention on this subject is likely to be ratified?

MR. BOURKE: Sir, the draft Convention was drawn up by the delegates representing the various Powers at Paris, and it is now under the consideration of those Powers. Until their Representatives have expressed their opinions upon that Convention, it is impossible for me to say whether it is likely to be ratified.

RUSSIA AND TURKEY—THE WAR—REGULATIONS RESPECTING THE PORT OF ODESSA.—QUESTION.

MR. GOURLEY asked the Under Secretary of State for Foreign Affairs, If he can inform the House whether it be true that the Russian authorities have ordered neutral ships arriving off and bound to Odessa not to enter that port; if he has, or is, negotiating with the Russian and Turkish Governments to allow neutral vessels a specified period in which to enter and leave harbours protected by torpedoes or blockaded by ships of war; and, if he has ascertained whether the belligerents intend observing the Maritime Rules of the Declaration of Paris during the continuance of hostilities; and if the Turkish Government intends treating the Dardanelles and Bosphorus as inland waters for ships of all nations, or only as against those belligerent Powers?

MR. BOURKE: Sir, in reply to the first part of the Question of the hon. Member for Sunderland, I have to say that in answer to a message that was sent from the Foreign Office two days ago, Consul General Stanley at Odessa reports to us that no English vessel has been prevented from entering in or going out of that port; and that yesterday in fact an English vessel was unloading there and would proceed, when her cargo was unloaded, to go out of the port. He adds that all vessels are obliged upon entering the port to enter with Russian crews, and that while they are going through the channel, termed the "Mined" Channel, which I suppose is a channel where torpedoes are laid down, their own crews are obliged to go below, and that these regulations apply

to Russian as well as to foreign vessels. With regard to the second part of the Question of the hon. Member, we have no notice with regard to any harbours that are protected by torpedoes, except Odessa, the one just mentioned, nor have we received any information of a blockade being established, either by Russia, or by Turkey. Then with regard to the third part of the Question, we have received telegrams from Mr. Layard, who says that it is the intention of the Turkish Government to issue a proclamation declaring that it does mean to be bound by the maritime rules laid down in the Declaration of Paris. Mr. Layard adds, in the telegram to which I have just alluded, that regulations are about to be issued by the Porte stating what their intention is with regard to the right of search for contraband of war. I do not think it would be desirable that I should say anything about those regulations until I receive them, and therefore I can only say that whenever we hear of those regulations being published—and we understand they are to be published immediately—by the Porte, we shall make them publicly known in this country without the slightest delay.

COAL MINES—THE TYNEWYDD COLLIERY INQUEST—QUESTION.

MR. MACDONALD asked the Secretary of State for the Home Department, If he will direct that some one will attend the inquest to be held on the 3rd proximo, to find out the cause of the death of the men who lost their lives in the Tynewydd Colliery, South Wales; and, if he will order that the inquiry will be of the most searching character, to see if the provisions of "The Mines Act, 1872," in respect to bodies of water, were being fully carried out prior to the inundation?

SIR HENRY SELWIN-IBBETSON, in reply, said, that in accordance with the Answer already given by the Home Secretary, and by the instructions of that right hon. Gentleman, he (Sir Henry Selwin-Ibbetson) had that day given directions that a lawyer should attend the inquest respecting the death of the men who lost their lives in the colliery referred to in the Question, as was done in the case of the last colliery explosion inquiry.

NAVY—DOCKYARDS—ADMISSION OF FOREIGN VISITORS.—QUESTION.

MR. OWEN LEWIS asked Mr. Chancellor of the Exchequer, If it is the case that—

"A Russian officer has received permission to make a tour of inspection of all our dockyards and such Government establishments as he may desire to visit;"

if he considers it advisable, under present circumstances, that such unlimited access to these establishments should be granted to foreigners; if similar facilities are afforded to Englishmen in Russia and other continental countries; and, if he has any objection to communicate the Russian officer's name to the House?

THE CHANCELLOR OF THE EXCHEQUER: Sir, my right hon. Friend the First Lord of the Admiralty, I am sorry to say, is not able to be present here to-night. He would have been better qualified to answer this Question than I am; but I understand that about three weeks ago a Russian officer, Lieutenant Artsayooloff, was recommended by the Foreign Office to the Admiralty to receive permission to see the dockyards at Chatham, Sheerness, Portsmouth, and Devonport. It is the practice of the Admiralty to grant permission to see the Dockyards to persons so recommended, and, moreover, I may mention that it is the practice to allow naval attachés to the Embassies to visit the Dockyards without any special recommendation or permission. These facilities are given reciprocally by other nations, and I believe it is the case that the same facilities are given by the Russian Government to English officers. Under these circumstances the permission was given, and, as far as I understand, this gentleman was allowed to visit those establishments. I do not see that there is any object at present in making any alteration in the existing practice.

ARMY—THE COURT MARTIAL ON CAPTAIN ROBERTS, 94TH REGIMENT. QUESTION.

MAJOR O'GORMAN asked the Secretary of State for War, Whether it is intended that Lord John Taylour, who was in command of the 94th Regiment at Belfast, while the Court Martial on Captain Roberts was being proceeded

with, is to be placed in command of a Brigade Depôt: and, if so, whether, considering the evidence given before the Court Martial in question, relating to the noble Lord's conduct as commanding officer, his appointment to a Brigade Depôt will be delayed until the Motion of the honourable Member for Dundee has been discussed by the House of Commons?

MR. GATHORNE HARDY: Sir, Lord John Taylour, not being on half-pay, is not qualified to be appointed to a Brigade Depôt, and no such intention has been entertained.

MERCHANT SHIPPING ACT, 1876—THE FRENCH STEAMER "LABRADOR."

OBSERVATIONS. QUESTION.

MR. MAC IVER said, that in putting a Question on this subject to the President of the Board of Trade, he wished to make a personal explanation. On the previous day he had had to put a Question to the right hon. Gentleman which was of great importance to the shipping interest, and he thought he was entitled to receive a courteous and accurate answer. The right hon. Gentleman replied that the facts of the case were the reverse of those stated in the Question. He (Mr. Mac Iver) would be unworthy of his place in that House if he were to put a Question of the description implied in that Answer, and he felt sure the right hon. Gentleman, on reflection, would see that the terms of his answer were not altogether justified. The Question was misunderstood by the right hon. Gentleman, for he (Mr. Mac Iver) was not complaining specially of the *Labrador*, against which vessel he had no charge. She had been properly surveyed, and if all emigrant ships——

MR. SPEAKER, interposing, said, the hon. Gentleman was entering into matters of argument and debate.

MR. MAC IVER said, his Question had reference to the state of the law, rather than to the particular case of the *Labrador*, which, however, was the first vessel to come under the law. He now wished to ask, Whether it would be permitted to any British steamer to commence her voyage at a foreign port and to embark steerage passengers at any British port of call on the same conditions as those upon which the French steamer "Labrador" did so at Plymouth on Sunday 15th instant; whether it is not true that specific compliance with the Passengers Acts of 1855, 1863, and 1870 has always hitherto been required from all vessels alike, without distinction of nationality, and that there was no such compliance in the case of the "Labrador," but only a general compliance; whether it is intended to continue to enforce specific compliance as regards British vessels generally, or whether any exception will be made in the case of vessels registered in Canada and trading from continental ports, viâ Great Britain, under circumstances where it can be shown that the ordinary Board of Trade requirements have been substantially complied with; and, whether foreign certificates countersigned by British Consuls, as in the case of the "Labrador," are in all cases to be regarded as conclusive evidence of general compliance with such requirements?

SIR CHARLES ADDERLEY, in reply, said, he was extremely sorry the hon. Member should have felt that there was anything discourteous in his answer. He thought he had merely taken the shortest possible way of putting the House in possession of the facts, as the hon. Member had entirely misconceived the law, which his argumentative Question attempted to impugn; and they distinctly showed that the truth was the exact reverse of what was implied in the Question. The hon. Gentleman now resumed his argument in another form, as against the 19th section of the Merchant Shipping Act of last year. That section was fully discussed at the time and agreed to, its purport being to relieve foreign passenger ships calling at an English port from a second survey. If British steamers took to starting from foreign ports with emigrants and called at British ports for more, if they had been surveyed sufficiently at the port of departure they would not be subjected to the same survey again. A specific compliance with the law for the time being had been, and would be, required from all passenger ships. The *Labrador* under the Act of last year was exempted from a second survey of hull and machinery at the port of call; but the emigration officer of the Board of Trade had to examine and be satisfied about the arrangements made for any fresh passengers taken in, and no further survey

could be of any use or validity. The ship would have to be unloaded to make the survey anything but a useless annoyance. The 19th section of the Act of last year placed duly surveyed foreign ships calling here for additional emigrants on the same footing as France had always placed duly surveyed English ships calling at a French port, so far as survey was concerned. Canadian registered ships would come under precisely the same conditions as other British ships. The attestation of a British Consul was not conclusive. The Board of Trade must be satisfied, and did satisfy itself, that the requirements were substantially complied with, and Her Majesty might, by Order in Council, direct that the section should not apply where corresponding provisions were not extended to British ships.

ABOLITION OF PURCHASE ACT — THE REGULATIONS.—QUESTION.

MR. CALLAN asked the Secretary of State for War, Whether, in view of the present critical position of foreign affairs, Her Majesty's Government have taken into consideration the advisability of taking the necessary steps to enable officers who had purchased their commissions previous to the Abolition of Purchase Act, 1871, the value of which was guaranteed to these officers by the Act of Parliament, to bequeath or otherwise assign the value of their commissions, to which they would be entitled were they now to sell out?

MR. GATHORNE HARDY, in reply, said, that, as he understood the Act for the Abolition of Purchase, officers were to be secured in the same rights which they enjoyed before that abolition. So far as payment was made for the purchase of a commission, the regulation that was in force previous to 1871 was still in force, and therefore officers and their families would be treated in exactly the same way as they would have been if purchase had never been abolished. It was not the intention of the Government to make any change in this respect.

RUSSIA AND TURKEY—THE WAR.

NOTICES.

THE MARQUESS OF HARTINGTON: Mr. Speaker, I beg to give Notice that I shall, on Monday, ask the Chancellor of the Exchequer, Whether the Government have received official intelligence of the outbreak of hostilities between Russia and Turkey; and whether it is the intention of the Government to issue a Proclamation of Neutrality?

MR. C. HOWARD: On behalf of my right hon. Friend the Member for Greenwich (Mr. Gladstone), who is absent from indisposition, I beg to give Notice that it is his intention to move Resolutions on the Eastern Question and the prospective policy of the British Government. The terms of the Resolutions will be given by the right hon. Gentleman on Monday.

ORDERS OF THE DAY.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE IRISH LAND QUESTION.

RESOLUTION.

THE O'DONOGHUE, in rising to move—

"That, in the opinion of this House, in order to ensure to the Irish tenantry the benefits intended to be conferred on them by the Land Act of 1870, it is essential that steps should be taken to prevent the exaction of rents which virtually confiscate the improvements declared by that Act to be the property of the tenant, and also that steps should be taken to prevent the eviction of tenants for refusing to submit to such rents,"

said: Sir, I think I am strictly accurate in saying that the Irish agricultural occupiers, who represent a population of little less than 4,000,000, live in constant apprehension of being called upon to pay increased rent, and of being turned out of their holdings if they refuse. This does not arise from a natural aversion to rent in any shape, but is a fear engendered by the power exercised by landlords of asking for whatever rent they want, and compelling its payment under pain of eviction. The great aim of modern land legislation has been to make land, as far as possible, an ordinary marketable commodity for the landlord, freed from such incumbrance as occupiers with even the slightest hold upon

the soil. This has been accomplished by devising a system of rapid eviction, which has practically detached the whole of the agricultural population from the land, and which prepares them for utter ruin by putting them through a short preliminary process of legal torture. In the opinion of some, one of the unpardonable sins committed by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) has been his partial recognition of a continuous right of occupation in the occupier by giving him, in certain cases, a claim to compensation for disturbance. What is the effect of this rapid system of eviction upon the tenant? It forces him to pay whatever rent the landlord makes up his mind to ask for. This is a consequence of which the injustice is so self-evident that a doctrine has had to be invented for its defence, and is constantly being repeated by a chorus of landlords and agents. It is that the value of the land is whatever the landlord can get for it. This is the landlords' contribution to the principles of political economy, and a very handy one it is for their purposes. It rests upon the monstrous assumption that the land belongs absolutely to the landlord, and may be dealt with by him in whatever way is most advantageous to his pocket. We are referred for its justification to the fact that owing to the intense craving for land there is always some one found to gratify the cupidity of the landlord. With an air of the utmost innocence, and as if he was the helpless victim of an irresistible law, the evicting landlord says in effect, if not actually—"I am offered so much more for this farm than you say you are able to give me, and am I to be prevented from making money, because if I take your farm from you, you and your family will be consigned to utter misery?" Sir, when in the interest of humanity we resist the doctrine that the value of the land is whatever the landlord can get for it, and assail it as a false and mischievous proposition, we are treated by some with as much derision as if we had been guilty of an absurdity as great as the denial of a mathematical axiom. But the common sense and the innate sense of justice of mankind will never permit the selfish interests of landlords to be weighed against the rights which occupancy confers upon the farmer. I have frequently argued in this House that Ireland must be dealt with as, what she is, a fully occupied country, and not dealt with as an uninhabited country, put up to auction to be knocked down in various allotments to the highest bidder. I can imagine an uninhabited island, or an uninhabited portion of a Continent, the ownership of which is vested in a few individuals — if they want tenants, and there is competition, they will, of course, let to the highest bidder; but that the tenant should be liable to lose his land merely by being outbid supposes a state of things incompatible with the peaceful enjoyment of life, with the adequate remuneration of labour, and for which history outside those islands furnishes nothing approaching to an example. And yet this is the principle upon which some Irish landlords maintain they have a right to traffic in the soil of Ireland, with this incident of aggravation—that in innumerable instances the ownership of the landlords is but a thing of yesterday when compared with the occupation of the tenants. The longer the occupancy the deeper its roots, and the greater and more painful the wrench required to separate the farmer from his home. Sir, I believe that the very nature of the man so treated is changed, that he is at the mercy of the fiercest passions, and becomes the irreconcilable enemy of the State that refuses him protection. Well, when we consider that every farmer in Ireland is liable to be torn from his home, if he fails to furnish the rent deemed necessary by the landlord for his general convenience, we may form a very clear idea of the feelings entertained by the Irish farmers towards a Government which allows such a system to exist. Sir, the Irish farmers are, and ever have been, prepared to give the landlord his fair share of the value of the land, but they insist that its value is only to be determined by ascertaining the producing power of the soil in the case of each particular farm. I am not to be met by being told that neither Mr. This nor my Lord That is a rack-renter. I do not know whether they are or not. I know that the law enables the landlord to fix his rent to suit his necessities, and it needs no profound knowledge of human nature to see what this must lead to. I take it to be almost as certain as any of the immutable laws of the physical world that where there is power

of rapid eviction there will be rack-renting. It cannot be denied that the landlords have the power of rack-renting, and what we want to do is to take this power from them and from their heirs and successors in ownership. It is a standing menace to the happiness of the farmers—that is, to the happiness of 4,000,000 of people; to the quiet enjoyment of their property, which may at any moment be confiscated by an undue increase of rent; to the safety of the State, by placing in the hands of a small class a controlling influence which must be injurious to public liberty. So overpowering is the terror with which the prospect of eviction inspires the farmers, from the fact that, generally speaking, they are very poor men, that they silently submit themselves to burdens with which they struggle through life rather than expose themselves to the dreadful consequences that rapidly and inevitably follow any serious opposition to the wishes of the landlords. From a practical, common-sense point of view what may we assume as most likely to be the nature of the rent of the tenant who has to choose between agreeing to the rent proposed to him or relinquishing his only means of providing for the support of himself and his family? We are bound to assume as reasonable men that a rent agreed to by a tenant so situated will be unfair in its nature, and the dilemma I have mentioned is one which the occupiers of Ireland, with scarcely an exception, have presented to them. The power of rapid eviction and the ruin which eviction entails form a lever with which the landlord can raise his rent to any height he pleases. The knowledge that he has this instrument at his command banishes the idea of resistance from the mind of the tenant, who falls back upon the most abject submission as the only policy he can with safety pursue. I may be told that the landlords do not and will not avail themselves of the facilities the law offers them for oppressing the farmers by exorbitant exactions. Can I be told they have not done so? And if I cannot, what guarantee can be given that they will not do so again? When the rack-renter has been found out—no one is so devoid of decency as to defend him. All admit that he has done wrong—that he has committed an act that ought never to be repeated—that any honest man will avoid. The idea suggested to the public mind is that of an impoverished man from whom another has extorted money, to which he had no right, by means which are technically legal, but which are felt by all to be a gross outrage upon justice. The threat of eviction is the means employed, often used directly, always implied. Sir, is it not impossible to resist the conclusion that it is the duty of those responsible for the happiness and welfare of the people to prevent the perpetration of those acts? Of one thing at all events I am certain—that the Irish people believe this to be the duty of a Government claiming their confidence. Rack-renting is an evil of long standing. In the correspondence of the Duke of Wellington, when Chief Secretary, with the Chiefs of his Administration, I find numerous references to the exorbitant rents—that is the phrase he used—which the landlords endeavoured to exact. But then eviction had not been made easy—it was always a difficult matter, often an impossibility; and rack-renting frequently resulted in great accumulation of arrears, in periodical seizures of the tenant's stock, and in embarrassment often not very unfairly distributed between landlord and tenant. Although the House cannot be so oblivious of the past as to receive with incredulity the statement that Irish landlords are capable of rack-renting, I shall refer to two or three recent cases which in the shape of appeals came before Chief Justice Morris at the Spring Assizes, 1876, in Armagh. John Warnock, a tenant on the Harte estate, held a farm at a yearly rent of £10 8*s*. The entire holding had been reclaimed by himself and his father, and the fact was not disputed. He was served with a notice increasing the rent to £15 per annum. In the Court below the Chairman suggested, by way of compromise, that the tenant should pay £12 10*s*. 3*d*., but he rejected the offer and was refused any compensation. On the hearing of the appeal the Judge suggested a rent of £11 8*s*. The claimant said he would pay that rent sooner than leave his farm; but the agent said he could not agree to it. During the hearing of the appeal the Judge made some very strong remarks on the case, and said he did not see the justice of charging a man for his own improvements by an increased rent, when he had

reclaimed his holding and put up all buildings on it. In Meath, on the estate of Lord Gormanstown, there has been considerable rent raising. The tenants at first resisted, but when four were evicted the remainder had to succumb, the increase varying from 19 to 100 per cent over Griffith's valuation. I will detain the House while I give Griffith's valuation, the present rent of seven tenants on the estate of Captain Humphrey, in the county of Kilkenny, and the rent demanded:—Wm. Tynbol—Griffith's valuation, including buildings erected by tenant, £34; present rent, £49; rent demanded, £76. James Pool—Griffith's valuation, including buildings erected by tenant, £37; present rent, £57 17*s.* 10*d.*; rent demanded, £77 4*s.* Widow Shelly—Griffith's valuation, including buildings erected by tenant, £14; present rent, £20 4*s.* 4*d.*; rent demanded, £29 4*s.* 4*d.* Thomas Lalor—Griffith's valuation, including buildings erected by tenant, £12; present rent, £16 16*s.*; rent demanded, £25. Robert Shane—Griffith's valuation, including buildings erected by tenant, £33; present rent, £53 5*s.*; rent demanded, £68 1*s.* Michael Dwyer—Griffith's valuation, including buildings erected by tenant, £7 18*s.*; present rent, £7 19*s*; rent demanded, £28. John Comerford—Griffith's valuation, including buildings erected by tenant, £19 15*s.*; present rent, £29 7*s.*; rent demanded, £35. The tenants will have to comply with these exorbitant demands or quit their homes. Upon the property of Mrs. O'Brien, of Ballinasloe, 11 tenants are under notice to quit for refusing to agree to increased rent. One of them is a man named Killan. Griffith's valuation of his holding is £13 10*s.*; his present rent is £23 15*s.* 2*d.*; and the rent demanded is £43. An increase of rent varying very little from this is demanded in the other 10 cases. Of course, the tenants must pay or go. In all the cases I have referred to the improvements had been wholly affected by the tenants. No doubt before this debate closes many other instances of rack-renting will be cited; but the House must keep before it the fact that the tenants are afraid to complain, and do not like to be referred to specifically. Let the House remember that the only cases of rack-renting that meet the public eye are those in which the tenant actually breaks down. Until he falls under his load nothing is known of his misfortunes outside his own circle. There cannot, however, be a doubt that multitudes of farmers in Ireland are in a tottering state from the excessive rents which they are forced to undertake; and that this must continue till an impartial tribunal has been established to which the tenant can appeal against the exactions of the landlord. It seems to me that we have reached a point at which the Legislature, in order to give proper effect to its own actions—in order to prevent their being nullified—must take away from the landlord the power he now exercises of himself fixing the rent he will have. We know that this power has constantly been abused in the past. It would be a renunciation of the faculty of reasoning not to infer that it will be abused in the future; and I feel that I would be guilty of a suppression of the truth if I did not express my firm conviction that at this moment it is being abused in innumerable instances. The Act of 1870 declared the improvements made by the tenant to be absolutely his property—that is, that he alone is entitled to derive any pecuniary benefit from them. This being so, is it not highly probable that, since the passing of the Act of 1870, every increase in the rent of an improving tenant has been an appropriation by the landlord of property declared by Parliament to be the tenant's? Whenever rent is raised, no matter what the real reason may be, some plausible reason must, at all events, be assigned for the proceeding. No one has the effrontery to say, point blank—"I want money for this, that, or the other purpose; I want money to meet this, that, or the other liability." If the reason given is the improved condition of the farm there is an open violation of the Act of Parliament, and appropriation of the tenant's property. It may be said the improvements made by the tenant have had nothing to do with the proposed increase of rent—it is looked for solely in consequence of the rise in prices. But, Sir, this does not dispose of the difficulty, because the quantity and quality of the commodities produced in the case of each particular farm will have been increased and enhanced by the improvements of the tenant, so that, even when the rise in rent is ostensibly based upon prices, the greatest precautions must be taken to

prevent encroachment upon the property of the tenant. It is clear that the sum derived from the increased productiveness of the farm and the enhanced value of the commodities produced upon it is the property of the tenant, as it is the result of his improvements. I ask, is there not a manifest necessity for the establishment of some means of fairly deciding the questions which, since the passing of the Act of 1870, must arise whenever a landlord proceeds to raise his rent? If a dispute occurs between landlord and tenant as to the fact of improvements having been made, or as to their value, what chance under the present system has the tenant of maintaining his view in opposition to that of the landlord? The landlord says that there are no improvements at all, or that they are only worth so much. The tenant says the improvements are considerable, and that their value is so much. If the tenant insists upon getting the fair value of what he believes to be his own—that is, if he insists upon the rent not being raised to a point which will give the landlord the benefit of the improvements, he does so at the peril of being driven from his home, and as this is a peril which no man who loves his wife and children can encounter, what comes to pass is this—the tenant's property is confiscated, the intentions of Parliament are defeated by the superior authority of the landlord, and the tenant naturally resolves that he will not exhaust his strength nor his capital in labour of which the fruits are to be enjoyed by another, and that other, his landlord. It is evident that, under the operation of the Act of 1870, difficult and delicate questions must arise touching the tendency of increased rent to absorb the property of the tenant; and is it in accordance with received notions of fair play, with the ordinary method of transacting business, that the decision of these questions should be left absolutely to one of the parties interested? I venture to say that if the parties concerned did not happen to be an Irish landlord and an Irish tenant there would be a general agreement that to leave the decision of a dispute involving the title to property to one of the parties interested was simply to give the property to the person to whom the decision of the dispute was left. Let me impress upon the House that the Irish farmer does not, as is pretended, object to pay rent, but that what he does object to is, in the first place, to pay rent which is not solely based upon the value of the produce of the land, and, in the next place, that he objects to such an increase of rent as will deprive him of the benefit of improvements which he knows, and which Parliament declares, to be his property. But what is his position? It is this—that he cannot assert his claim to his property without running the serious risk of being turned out of his farm. Surely it is nothing short of mockery—and of wilful mockery Parliament could not even be suspected—to tell the Irish farmers that the improvements made by them are their property, and then to turn round and tell the landlords they may evict the tenants who resist the confiscation of that property by the imposition of an excessive rent. I cannot see how Parliament can sanction the eviction of tenants under such circumstances without stultifying itself, without being exposed to the charge of the grossest inconsistency, without admitting the truth of the statement that the provisions of the Act of 1870, which declare the improvements of the tenant to be his property, are so much waste paper until the tenant has been evicted. Until this time arrives the tenant as the law now stands can lay no claim to his improvements. When this calamity has befallen him he may, after a desperate wrangle, get something. Those who are acquainted with the work of the Land Act must acknowledge that it does nothing whatever to secure for the farmers the ownership of their improvements till, as I have already pointed out, they are no longer occupiers of the soil. Is not this a glaring defect in the Act of 1870, and is Parliament not bound to find a remedy? Under the Act, as it works at present, a farmer stands a chance of getting something after he has been evicted. What is it that we want to do? We want to amend the Act, so as to secure for the tenant the enjoyment of his improvements while he continues in occupation, by preventing the landlord from appropriating those improvements wholly or in part by an increase of rent. He has no right to take the smallest portion of what belongs to the tenant. The Act of 1870 provides that, in certain cases, it is open to the Court to consider the character of the rent for non-payment

of which the tenant has been evicted. If the Court considers the rent unfair, it must impose upon the landlord for having been guilty of eviction, a fine, which the law has fixed at a very limited amount, and which the Court may still further limit at its discretion. What is it we seek to do? We seek to amend the Act, so that in no case shall the landlord have the power of evicting while the tenant pays a fair rent, and we propose to give the tenant the right of referring the decision of the question what is a fair rent to a tribunal equally representing landlord and tenant. As the House is aware, the tenant has hitherto had no voice in the decision of the vital question—What is a fair rent? The landlord makes up his mind what he will have; the tenant has to pay or go, and this in itself ought to satisfy everyone who realizes what are the consequences of eviction to Irish tenants, who know how industrious they are, that in the vast majority of cases of eviction for non-payment of rent under such conditions of assessment, the tenant is the victim of unjust demands. If it be true that the number of evictions for non-payment of rent as compared with the number of holdings is not great, the reason is that the farmer, knowing to what eviction certainly leads, makes almost superhuman efforts to meet his engagements, and clings to his land with the tenacity of a drowning man to the plank which affords him his only chance of life. I believe that I am strictly accurate in stating that it is only after a hard struggle, that the vast majority of Irish tenants are able to pay their rents, and that they have to deny themselves and their families many of the necessaries of life in order to be able to do this. Is not this the inevitable result of a system that enables the landlord to fix his rent irrespective of the value of the produce of the land—of a system that permits him to settle his rent, to meet liabilities he may have incurred, that he may have inherited, that he may have had imposed upon him—of a system that enables him to apply to the occupier the spur of competition, and threaten him with such a dreadful weapon as rapid eviction. Sir, there is no getting rid of this fact—that the power the landlord exercises of determining the rent he will have renders the Land Act almost useless in three out of the four Provinces of Ireland. In the words of Chief Justice Morris, the landlord can charge the tenant for his own improvements by putting increased rent upon him. It is plain, then, that as long as this can be done, the portion of the Act which declares the improvements made by the tenant to be his property is so much waste paper. The state of the case is simply and shortly this—that the tenant has to choose between eviction or submitting quietly to the appropriation of his improvements by the landlord. But in every way the Act of 1870 is rendered worthless by the rent-raising power of the landlord. In 1870 a Select Committee of this House recommended the division of rates between owner and occupier. The Act of 1870 enacts that in all new lettings of agricultural and pastoral holdings the Grand Jury cess shall be divided between landlord and tenant. This sounds very well, but there is not a tenant in Ireland who is not convinced that the landlord will add the barony and county rate to the new rent, and I for one do not entertain a doubt that every burden imposed by the State upon the landlord will be transferred by him to the tenant at the earliest possible opportunity. There is the case of the National teachers. The Government are anxious to add to their emoluments, and propose a rate, to be equally divided between owner and occupier. The occupiers cannot be got to entertain the proposal, because they feel certain that eventually they will have the whole of the rate thrown upon them, no matter what may be its amount. The House may rest assured that the landlord will never allow his income to be diminished as long as he can raise his rent at pleasure. We admit that the principles underlying the provisions of the Act of 1870 are admirable, and also the arrangements for the equal division of burdens between landlord and tenant; but what is wanting is an independent system of arbitration to insure to the tenant the advantage of those principles and those excellent arrangements, and an authoritative declaration of the Legislature which will put an end to what all professedly condemn—the eviction of a tenant who is willing to pay a fair rent. Sir, the Irish farmers are making strenuous efforts to push the principles of the Act of 1870 to their natural conclusion. The tenant-

right movement was never so vigorous as it is now; and this is owing not, as some affirm, to the machinations of designing agitators, but to the recent acquisition by the farmers of a share of political influence, and to their determination to use that influence for the most legitimate of all purposes—the protection of themselves and their property. The farmers see with alarm that their property can by an increase of rent be appropriated by the landlords, and certainly their apprehensions have not been diminished by the Valuation Bill of Her Majesty's Government. The Schedule giving the prices upon which the valuation is to be based leads the farmers to think that the object of the Government is to make the valuation as high as possible. They do not object to a fair valuation; but experience has taught them that a high valuation must have a tendency to increase rent, because the landlords have laid it down as an axiom —and I challenge them to deny it—that the valuation cannot be taken as representing the letting value of the land. It is true that the valuation represents the value of the land calculated upon the prices the farmer obtains for his commodities. There is, however, a fancy value which the land acquires from the forcing qualities of competition and the threat of eviction—30, 50, 100, often 200 per cent above what must be admitted to be its real value—and this fancy value, from long habit, the landlords have come to claim as their lawful perquisite. Sir, I have to apologize to the House for having occupied their attention so long; but I hope I have said something to show that I did not put my Notice on the Paper without some reason, and that there are grounds for the active interference of Parliament. I shall only refer for a moment to what the legislation of 1870 was intended to accomplish. It was intended to check eviction; it was intended to give the tenant an indefeasible title to his improvements. The provisions respecting improvements evidently had a three-fold object—in the first place, to prevent the landlord from committing, what the late Lord Clarendon described as a felonious act, by appropriating the property of the tenant; in the next place, to stimulate the exertions of the tenant, by assuring him that he would reap the full reward of his labour; and, lastly, to serve the whole community by that increased productiveness which it was thought must result from the renovated industry of the tenant. Well, Sir, it has been proved by Returns made to this House that eviction has not been checked, and all who have any knowledge of Ireland are aware that the landlord evicts with as much rapidity as he ever did, and incurs no pecuniary loss whatever by eviction. It is absurd to say that the provisions of the Act of 1870 respecting improvements have succeeded, seeing that the tenant cannot avail himself of them till he is, in fact, no longer an occupier. Rent-raising is going on all over the country, and the landlords are making as free with the improvements of the tenant as if the Act of 1870 had never been passed, and as if the tenant had no more right to resist the appropriation of his improvements by the landlord than to oppose the sale of the fee-simple interest. The tenant, therefore, sees that now, as formerly, he is working altogether for the landlord, so far as improvements are concerned, and there is an absence of that incentive of self-interest to which Parliament looked to rouse the farmers to efforts of which men only are capable when they feel that their labour will result in lasting advantage to themselves. But, Sir, the defeat of the Act of 1870 has not merely been injurious to the occupiers—that defeat affects the whole community prejudicially by retarding the development of the agricultural resources of Ireland. Since the improvement of the soil of Ireland mainly depends upon the occupiers, it becomes the duty of the Government to afford them every encouragement to put forth their whole powers, and to remove every obstacle to their doing so. As a class, the owners of land are too poor to do more than now and then put up a gate or slate a house. Here and there one meets through the country what is called an improving landlord, but he is held in abhorrence by the people, who have learned from bitter experience that the improvements of the improving landlord are not intended to confer any permanent good on the occupiers. The improving landlord is regarded as a man who wishes to be in a position to say—"I have done these things myself; you have no claim upon me, no hold upon the soil, and no right to complain if at any moment I turn you

out and get another tenant." The occupiers do not ask to have the land improved for them; on the contrary, their most earnest desire is to improve it themselves, on the understanding that the right to live on the land and enjoy the improvements shall be guaranteed to them and their children. It was thought the Act of 1870 would have done this, and no doubt this would have been its natural effect. The farmers never imagined that Parliament, after declaring the improvements made by them to be their property, would allow them to be evicted for resisting an increase of rent which is virtually a confiscation of that property. I submit that the Act of 1870 renders it impossible, morally impossible, for Parliament to sanction the eviction of tenants for the non-payment of such rent, and that Parliament is bound to confer upon the tenant the right of referring to arbitration all disputes with his landlord relating to rent. In this way alone can the improvements of the tenant be secured against confiscation. Sir, that Ireland is England's difficulty is a phrase so hackneyed that I am almost ashamed to repeat it. The staleness may be somewhat relieved by giving what I have not very often seen assigned—the cause of the difficulty. No one who has studied the history of Ireland can doubt that the oppression of the occupying tenantry by the landlords has made Ireland England's difficulty. So long has Parliament sanctioned this oppression that the belief is universal and deeply imbedded in the popular mind that England prefers gratifying the cupidity and upholding the sway of landlordism to securing the happiness of the great body of the people. You know that from time to time the conscience of the nation is startled by the revelation of deeds that have been done beneath a very smooth surface. The public gaze is fixed with horror upon the scene and the actors. There is an abundant outpouring of pity, of generous indignation—and all is quiet again. The spirit of the age, the searching properties of a free Press, suggest the necessity for caution, for temporary moderation, for temporary abstention from overt acts of sheer tyranny; but all the while the farmers feel that they are held as in a vice, which may at any moment be pressed upon them. I am anxious to release them from this miserable condition, in order to insure the happiness of Ireland, to satisfy the requirements of justice, and lay the foundation of a thorough union between the inhabitants of the Three Kingdoms. I beg to offer my Resolution to the House.

MR. ERRINGTON, in rising to second the Motion of his hon. Friend (the O'Donoghue), said, it was a matter of sincere congratulation that this form had been chosen for bringing the question forward, for though long acquaintance with the evils of the present land system in Ireland sometimes led him to fear that some solution might ultimately be needed more radical than anything contained in the terms of this Motion; still he felt that if they desired to do anything useful or practical in the House on this question it could only be by proceeding as tentatively and judiciously as possible. Now, he could conceive no course more judicious and none more thoroughly in accordance with the best spirit of their Parliamentary usage than for his hon. Friend to take his stand as he did on the Land Act of 1870; and when he (Mr. Errington) remembered that the principle of that Act was affirmed by the united action of both sides of that House, and when he remembered the long and anxious discussions which took place in order to make its provisions as effective as possible to carry out its principle, then he could not help believing that when they were obliged, as they now were, to come down to the House, and say—"We accepted that Act hopefully and thankfully; so far as they went, its provisions were excellent; we have tried them fairly for six years, we find them insufficient; we therefore ask you to extend and amend them in such and such ways," they would have that consideration which the House always gave to important matters when treated in a business-like way. These then appeared to be the three practical points into which the question divided itself, and the burden of proof of which might fairly be said to rest on them. They must first confirm and strengthen the admission made in 1870, but since often denied, that the agrarian condition of Ireland was so exceptional as to need some exceptional treatment; second, they must show that the Act of 1870 had failed to afford the necessary exceptional treat-

ment; and, third, they must be prepared to propose such amendments as should effect their purpose, and at the same time they must satisfy the House that such amendments would not injuriously affect other interests, which he for one could never consent to sacrifice. His hon. Friend had, in his interesting and eloquent speech, so fully dealt with the two first of these points, that he (Mr. Errington) desired to say a few words on the last, the more so as it was of vital importance that once for all the House and country should realize how broad and sound were the foundations of the question, and how entirely genuine was this demand. It was often said this demand was the result of a spurious agitation. Nothing could be further from the fact. Of course there was agitation connected with it; but he wished to know what question could in these days be important or popular without becoming the centre for agitation? Why should this question be an exception? It was the same as with Petitions to the House. If an hon. Member was seen staggering up under a load of Petitions, he was told that his signatures had been obtained by a careful organization, and, therefore they did not mean anything; on the other hand, if no Petitions were presented, then he was told no one cared for his Bill; in the same way, if there were not agitation, they would be told the people of Ireland did not take much interest in this question. He was now going to state a fact, which he believed was patent to every one who knew Ireland, when he said that the people of Ireland were asking, not for something merely which they wished to have, not for something which they hoped the House of Commons would some day give them, but for something which they were convinced actually belonged to them. This was the perfectly honest and genuine expression of the national conscience. Now he did not contend that every expression of national feeling or conviction, no matter how genuine or universal, must always be accepted as conclusive of the justice of the demand; but he did say this, that when that feeling could be shown to rest on, and be confirmed by, a long course of historical and other circumstances, he did not know to what tribunal they could appeal against its justice. Fortunately they were now in a position to account for and justify this feeling most completely. New and curious evidence had recently become available, and it had been developed in the most convincing manner by some of the greatest living authorities, among whom he need only mention the name of Sir Henry Maine. Now, when he remembered how many persons there were in and out of the House who, anxious to take a fair and kind view of Irish affairs, yet owing to ignorance of facts, were apt to regard this demand of theirs as savouring somewhat of Communism, as as founded rather on vague theories of the future than on solid facts of the past, he at once felt the great importance of this justification and asked attention to it for a moment. Up to the time when English law was finally introduced into Ireland, the land, by Irish laws, was divided between the numerous Chiefs and the members and families of the various tribes and clans. But owing to the circumstances of the time, the wealth of the Chief consisted far more in cattle and sheep than in land; hence arose a curious custom known as "giving" and "taking stock," and to this they could point with absolute certainty as the origin of the present relations between landlord and tenant in Ireland. Sometimes, owing to poverty or distress, sometimes to the direct power of the Chief, the independent tribesman was compelled to accept a certain quantity of cattle or sheep from the Chief and to pay him in return a tribute or rent in kind. This established a relation of dependence between them, which was regulated down the minutest of details; but what he wished to call attention to was, that, in this contract, it was the tenant who contributed the land—the Chief only contributed the stock; and that all through the details to which he alluded they found no allusion to any power of eviction, which, doubtless, did not exist. He would venture to quote a few words from Sir Henry Maine, who on this subject observed—

"The rent in kind, or food rent, which was thus proportioned to the stock received undoubtedly developed in time to a rent payable in respect of the tenant's land; but it certainly is a curious and unexpected fact that the rent of the class which is believed to have embraced a very large part of the ancient Irish tenantry, did not, in its earliest form correspond in any way to the value of the tenant's land, but solely

to the value of the Chiefs property deposited with the tenant."

There was, however, another feature in the picture. In addition to his own share of land the Chief had certain rights over the waste lands of the tribe, and used to settle on them the waifs and strays and outcasts from other tribes, who became his dependents in a very absolute manner; they were called "Fuidhirs"; the power of the Chief over them was recognized and sanctioned to an extreme degree in these old laws; but even in this case we find no mention of eviction. Gradually as the power of the Chief increased, the position of the more independent class first alluded to called "Saer" and "Daer Ceiles" became degraded and assimilated in many respects to that of the "Fuidhirs"; but even still there was no mention of eviction. Now, when by the end of the sixteenth century all the Irish estates had been either confiscated or surrendered to the English Crown, and re-granted subject to English law, of course the landlords obtained the power of eviction; but he contended that at least over a considerable part of Ireland, and for a long period more than 150 years, this right was little exercised. And the reason was clear. The population was so exceedingly small, that though a tenant might be oppressed, he was too valuable to turn out. But this was not the only landlord's right which was to a certain extent in abeyance. It was known that almost indefinite sub-division of farms took place. This was due partly to political objects, but also, and still more, to the neglect and carelessness of Irish landlords in the management of their properties. Provided the tenant paid a certain amount of rent, he might sublet, sub-divide, and do almost as he pleased with his land; in fact, exercise over it those rights which in England not only belonged to the landlord, but were always most jealously guarded and exercised by him. Now, he contended that this practical non-user for so long of many rights by the landlord, and their user by the tenant, went far to justify the traditional belief of the tenant in the permanent character of his occupation. But there was another point which tended in the same direction. In England the landlord always provided buildings, fences, gates, and other permanent works for cultivation of the farm, and kept them in repair; in Ireland, on the contrary, all this had to be found by the tenant. This was usually cited as an argument in favour of giving the Irish tenant compensation for his improvements; but to his (Mr. Errington's) mind it had a deeper significance, for it went far to set up the presumption that a tenure under such circumstances was more permanent than if the tenant had, as in England, stepped into a farm with everything ready to his hand. This might be illustrated by the difference they all felt in the present day between taking a furnished or an unfurnished house; and naturally the Irish tenant would have the same feeling when he saw all the wretched comforts and accommodation he had, had grown up under his hands, or by the work of his family, perhaps for generations. Now, as population increased, had there been, as in England, other outlets for it besides agriculture, such as trade and manufactures, none of these difficulties would have arisen. As in England some of these rights would have crystallized into a sort of copyhold, others would have disappeared, but by a process not harsh, because not stimulated by undue pressure. This was not so, however, and one of the reasons undoubtedly was the policy of England, which to protect its own trade, passed a series of laws intended to, and which had the effect of destroying all Irish trade. He did not say that Ireland would ever have been a very flourishing commercial country—certainly it could never have competed with England; but the laws to which he alluded undoubtedly did suppress several very promising branches of industry. He did not say this from any spirit of recrimination. He trusted the days of bitterness were past, and that Englishmen and Irishmen could now look back to the past, with regret, of course, but chiefly with a desire to join in remedying its results. And now he would ask—could there be a stronger chain of evidence than this he had adduced, to justify the traditional belief, which he asserted still existed in the mind of the Irish tenant, that he had a moral right at least to some security of occupation? And could they wonder that when increase of population caused the landlords to assert, often harshly, their some-

times long dormant and always questioned rights, they were met by this traditional belief, strengthened by what soon became a fearful struggle for existence, and that after years of a history too sad to look back to, the country now found itself in a state of chronic, and, as far as he could see, hopeless uncertainty and dissatisfaction? This was no mere Communistic theory; it was a hard and stern reality which lowered the value of all property, and affected the interests, not of tenants only, not only of Irishmen, but of all who were concerned in the welfare and advancement of every portion of the Empire. But, after all, to what practical conclusion did this lead? Why, simply to this—it placed them face to face with two sets of equal and conflicting rights. If this was not an exceptional state of things, requiring exceptional treatment, he did not know what was. It clearly was a case for compromise, if ever there was one. After all, the case might be worse. Instead of being merely conflicting, these rights might be contradictory and absolutely irreconcilable. In that case they would be obliged to stand by and see one or other of these rights sacrificed. They had already stood by too long. The policy of sacrificing one of these rights had failed in the past, and there was no reason to hope it would succeed in the future. That was why he urged most strongly that this compromise be accepted. But he would be told the Act of 1870 was a compromise. It was a well-meant attempt at a compromise, but his hon. Friend had shown clearly how that attempt had failed; he had also pointed out how it should be made effective. He would only observe—having already too long trespassed on the time of the House—that the compromise of 1870 was meant by a graduated scale of payments to discourage eviction on the part of the landlord, and to compensate the tenant for such eviction if it took place. In both these points the Act had failed. The money fine was totally inadequate to prevent the landlord who was determined to do so from evicting his tenant; and the more he considered the case the more he felt that no mere sum of money could compensate the Irish tenant for eviction, unless the sum was so large as to be virtually prohibitive of all eviction. In that case he far preferred to accept the straightforward proposal of his hon. Friend, and to say that no eviction should take place, in the case of small residential farmers, except for non-payment of rent. It followed that the rent must be adjusted by some system of arbitration. This did not, in practice, offer any real difficulty. He would be content to leave the matter to be settled by two arbitrators, one to be named by the landlord, one by the tenant; with reference, as umpire, to the Chairman of the County. He would add one word as to the fairness of this compromise; for, as he had observed, it was incumbent on them to show that their proposals would not injuriously affect the landlord. It was usually said that everyone who spoke on this side of the question must be either a tenant or entirely unconnected with land. Now, he (Mr. Errington) spoke as an Irish landlord who had more than 10 years' practical exprience with all the details of managing property and receiving rents personally, and he had no hesitation in saying that this proposal would increase the value of property. It would do so in three ways: 1st. The security they proposed to give would encourage the tenant to improve his farm, and to expend, in doing so, the money which—if he had it—was now, for want of such security, left idle in the banks; thus, the landlord would obtain a better security for his rent. 2nd. It would render a fair increase of rent much easier to obtain. The power of raising rents had been so grossly abused, that even the fair use of that power was now difficult and odious. He had quite enough faith in the honesty of this demand to believe what the tenants always asserted in public and private—that they had no desire or expectation of having their land at unduly low rents, but only asked to be protected from the risk of having their rents exorbitantly raised. He had no doubt that, after a few years of this compromise, not only would his tenants be much better off, but his own income would be much increased. The third point was, as to the selling or capitalized value of land. Hon. Members from Scotland and England could have little idea of the absurdly low value at present of real property in Ireland. He ventured, though reluctantly, to cite an instance of his own, as affording a striking contrast. Within the last two years property of his had been sold in an out-

of-the-way part of England, high up in the dales, six miles from a railway station, without special local advantages, for prices varying from 35 to 42 years' purchase, on a revised rental. Now, if he wished to sell property in Ireland, much better circumstanced, with a good solvent tenantry, he would be too happy to accept 20 or 21 years' purchase. This was a strange difference. He could only attribute it to the chronic state of uncertainty and dissatisfaction arising from the conflict of the two rights to which he had alluded. There was no prospect that this would improve by leaving things alone; and, therefore, he strongly urged the acceptance of this moderate proposal. He would now strike the balance of the compromise. The landlord would lose a right which, fortunately, few landlords thought it right to exercise, and which fewer still found it in the long run profitable to exercise. It was a right of which he might say with regard to landlord and tenants—"It not enriches him, and makes them poor indeed." On the other hand, the landlord would gain—1st. Increased security for his rent; 2nd. A fair and easy increase of rent; 3rd. An increased capitalized or selling value for his property. If this was confiscation of the landlord's property, all he could say was the sooner such confiscation took place the better.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, in order to ensure to the Irish tenantry the benefits intended to be conferred on them by the Land Act of 1870, it is essential that steps should be taken to prevent the exaction of rents which virtually confiscate the improvements declared by that Act to be the property of the tenant, and also that steps should be taken to prevent the eviction of tenants for refusing to submit to such rents,"—(*The O'Donoghue,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. PLUNKET confessed he was disappointed in listening to the speech the hon. Member for Tralee (the O'Donoghue). For several reasons he had expected the hon. Member to take a course different from that he had pursued. Having listened to his speech, and to the most fair and conciliatory address they had just heard from the hon. Member for Longford (Mr. Errington), he was obliged to suppose that the Motion was merely a peg upon which to hang those speeches, which failed to come off on the occasion when the second reading of the Bill of the hon. and learned Member for Limerick was debated. The speeches were now directed to a simpler proposal than the proposed Bill.

THE O'DONOGHUE: As the remarks of the hon. Gentleman appear to be directed to me, I may be allowed to say that if he means I wanted to deliver my speech on the occasion to which it referred, he is quite mistaken.

MR. PLUNKET could not, of course, state what had been the intentions of the hon. Gentleman in reference to the debate on the Bill of his hon. and learned Friend, but there was not anyone who heard his speech that evening but would admit that it would have been an effective and pertinent one if delivered on the occasion to which he referred, though he took leave to say it was more violent than any of the speeches made on that former occasion. He very much regretted that his hon. Friend the Member for Kerry (Mr. Herbert) was not present to reply to that speech, as he was one of those improving landlords who were, as they had been told by the hon. Gentleman, held in detestation by their tenants. He had never heard greater—he must use the word—rubbish uttered in Parliament. He knew not what might be the hon. Gentleman's motives in attacking the Irish landlords as he had done; but he supposed he would not be wrong if he regarded what he had now said as a reconciliation speech, because while he was listening to it there came back to his ears the echoes of another speech which the hon. Member for Tralee made in that House in 1874 on the Motion for Home Rule. The memory of that address had not faded from his mind. He would not refer to parts of it which might be regarded as attacks on hon. Gentlemen opposite, but would give a passage from it which was typical of its general tone and tenour. In resisting the Motion for Home Rule on the 2nd of July, 1874, the hon. Member for Tralee observed that—

"The whole fabric of Government was attacked, Parliament was pointed at as the very

fountain of evil, and the voice of hate was poured unceasingly upon the popular ear, so that the most beneficent acts of legislation were like seed scattered upon barren or stony soil. The Imperial Parliament thought it had done a great thing when it passed the Church and Land Acts, and he was of the same opinion; but the orators of the Home Rule Association were at their posts, and shouted into the ear of the people that those Acts were concessions to fear, and thus called on the nation to gird itself for a final and crowning effort of intimidation.—[3 *Hansard*, ccxx. 929.]

That evening, however, they were told by the same hon. Member that under the Land Act of 1870, which did so much good three or four years ago, the Irish landlords had not ceased from their old evil ways, but had entirely defeated the good effects of that "most beneficent legislation." ["Hear, hear!" *from below the Gangway.*] He was glad that he had extorted from hon. Gentlemen opposite, by a single sentence, a more hearty cheer than they had accorded to the whole speech of the hon. Member for Tralee. But that hon. Member went a little further. He was not content with assailing the landlords. The hon. Gentleman said that every speech made and every word used in that House was watched, read, and remembered in Ireland, and he went on to tell the people of that country that they resisted and were hostile to the British Government because it was supposed to have done nothing to mitigate the oppression of the Irish landlords. It would be an utter waste of time to contrast the speech to which they had just listened with that which the hon. Gentleman delivered in 1874, and he would therefore pass away from the question of the hon. Gentleman's inconstancy. But what did the Motion now before the House come to? What was the drift of the speech of the hon. Member for Tralee? It was that the landlords of Ireland, without a single exception, had defeated the good intentions of the Act of 1870. That was a grave and serious charge to make. On what did the hon. Member found the assertion? He referred to three cases —only three—of which he had never heard before. Had no efforts been made to obtain cases on which to found such attacks? A circular had been issued by the Committee of the Central Association of Tenant Farmers calling on the people of Ireland to furnish any materials that could be collected to sustain charges of this nature. There was no want of machinery for that purpose. In fact, there was a club in every village of Ireland that could be brought into requisition. Yet, after all, only three cases had been cited. It was impossible for anyone to reply to such charges of which no Notice had been given. He was not prepared to say there could not have been such cases; but he was not prepared to admit them until he knew all the surrounding circumstances. Did the hon. Member never think that it would be but fair to give the landlords of Ireland the chance of clearing their character? Such a course was unjust in the highest degree, and could not advance the cause of those who resorted to it. The hon. Member for Tralee, founding his Motion on those three cases, maintained that—

"in order to ensure to the Irish tenantry the benefits intended to be conferred on them by the Land Act of 1870, it is essential that steps should be taken to prevent the exaction of rents which virtually confiscate the improvements declared by that Act to be the property of the tenant, and also that steps should be taken to prevent the eviction of tenants for refusing to submit to such rents."

The hon. Member for Tralee had pointed out no better plan for accomplishing the objects intended to be secured by the Land Act of 1870; he simply asserted before the House and the country that the improvement intended to be secured to the tenantry of Ireland by the Act of 1870 had not been effected. He gave no proof whatever of his assertion; without adducing a tittle of evidence he left the grievance alleged without the suggestion of any remedy. He believed there were very few cases indeed of what the hon. Member alleged to be the practice of a general raising of rents in Ireland; there was no proof of the existence of the grievance the hon. Member had endeavoured to make out. But, supposing there was, why bring it before the House, unless he was prepared to suggest some practical remedy? The hon. Member said the landlords of Ireland had always been rack-renting, and there was no hope for the tenantry except fixity of tenure at valued rents. He did not deny that at a former period, some 30 or 40 years ago, there were cases of rack-rent, though these were by no means general; but what were the circumstances, what was the state of the country at that time? The landlords as a class were almost as poverty-stricken as the wretched te-

nantry themselves. The energies of Ireland were stifled by an overwhelming population, which, as an agricultural country, it had not power to support. There were at that time 8,000,000 of people, where there were now only 4,000,000; so that if there were two men doing the work and eating the bread of one, both would be half employed and half starved. Men resorted to reckless means to extricate themselves from this condition, and the results were crime and outrage, repression and punishment. Reference was often made to the times of famine, fever, and emigration, and, though they occurred in his youth, he had a fearful recollection of them—they were, indeed, so sad and terrible that they could not be depicted in language too gloomy and terrible. But out of famine and pestilence Providence had brought plenty and happiness, for those who went away had found an honest market for their labour, and had prospered all over the world, leaving room and the means of living to those who remained. No doubt they went with aching hearts from the land of their birth, and although they could not but refer to their departure with sorrow and regret, let them not hide from themselves the blessing which came after the curse, and when they found Ireland was more happy, more prosperous, and more contented than it was, let them recall those evil times and sad memories in order to contrast with them the brightness of the present. Not only had the tenantry improved, but the same progress was evident in the condition of the upper classes. There had been no more eloquent delineator of the improved condition of Ireland than the hon. Member for Tralee himself in 1874. Formerly there were rack-renting landlords, steeped all their lives in mortgages, or continually impoverished, and face to face with bankruptcy and disgrace, and no doubt they did exact exorbitant rents from a poor and distressed people. But what had been the operation of the Landed Estates Court? It had released those landlords who were able to stagger through these evil times from their encumbrances. Many a landlord who would have been a good landlord in prosperous times went down; but he was happy to think that many survived that dreadful period, and although the places of those deprived of their property by forced sales had been taken by others who had not always acted in a friendly spirit to their tenants, it was only amongst a very few of even the new class of proprietors that they could find instances of harshness and oppression. He contended that the hon. Member for Tralee had not made out his case, except by the mere assertion that a certain thing would happen. Of course, there might be rack-renting landlords; and, if so, it would be a very bad thing for the tenantry; but might not there be rack-renting landlords in England, and were there not such landlords? He said there were, but they were not going to revolutionize all their land laws, because they succeeded in proving a few cases, and propose a total change in the system of property holding in this country. Neither for a few cases in Ireland were they to tear up by the roots the legislation of 1870, as would be done by the Bill of the hon. and learned Member for Limerick, to which the hon. Member for Tralee suggested no alternative. He had not made out his case; he had shown no justification or excuse for his attack on the landlords, and, therefore, the House ought, by a decisive vote, which would leave no doubt of its meaning, to express its dissent from the Resolution.

MR. SHAW-LEFEVRE hoped that, as an English Member, he would be excused for saying a few words on an Irish land question. The emphatic declaration of the House against Home Rule constituted a special reason why a Motion of this character should receive the fullest consideration. He had put on the Order Book a Notice of Motion on an analogous subject, but had not obtained a day for bringing it on, being less successful than the Irish Members, who were singularly fortunate in the ballot. He was glad the hon. Member for Tralee (the O'Donoghue) spoke with approval of the Act of 1870, which was one of the greatest Acts ever passed by the House, considering the difficulties with which the subject was surrounded, for it carried the principle of compensation to the tenant to the very verge of English ideas of the right of property without infringing them. That it had benefited the landlord class was shown by the fact that, whereas the average value of the land sold in the Incumbered Estates Court in 1870 was 16 years' pur-

chase, it was now between 20 and 20½, and it was steadily rising from year to year. Therefore, the landlords had benefited to the extent of an increase of 25 per cent in the value of their land. That the tenants had benefited was shown by the amounts of compensation which they recovered from time to time, which proved that in all cases they now secured the value of the improvements they had made. The time had not arrived, nor was it near, when it would be possible to review the working of the Act, nor would the House, within any reasonable period, accede to either fixity of tenure or rents fixed by independent valuers. While obliged to vote against the Motion, he admitted that some of the remarks of the hon. Member for Tralee were worthy of careful attention. No doubt it was possible notwithstanding the Act of 1870, the object of which was to secure to the tenant the value of his improvements, for the landlord to confiscate those improvements by raising the rent; but it had just been denied that any such cases had occurred. When the Irish Land Bill went to the House of Lords an alteration was made in the case of £15 holdings. If the landlord raised the rent exorbitantly, and the tenant refused to give the amount, it was competent to the Court to give the compensation value for the improvements, but the compensation for disturbance was restricted by the House of Lords to evictions under £15 value. Now, in almost all the cases cited by the hon. Member for Tralee the rental of the farms was over £15, and in many of these cases the rents had been raised 50 and even 100 per cent. He would ask the Chief Secretary for Ireland to re-consider this point and see whether the restriction forced upon that House by the House of Lords should not be altered. Why should there be a different principle for farms above and under £15 value? Another point worthy of the attention of the Government was the failure of the Bright clauses in the Irish Land Act. They were intended to facilitate the purchase by the tenants of the land in their occupation. The total number of purchases under these clauses had been only 500, and the value of the farms did not exceed £500,000. During the last seven years between £8,000,000 and £9,000,000 worth of property had been sold under the operation of the Incumbered Estates Act Court, yet only about 6 per cent of the land held by the occupying tenants had been bought under the Bright clauses. He believed that 250 of these sales were one operation, being purchases by the tenants of a single estate in the North of Ireland. He thought it would be well if the hon. Member for Tralee and those who attacked the Act of 1870 would turn their attention in this direction, instead of attacking the law itself. Similar provisions were made under the Church Disestablishment Act to facilitate the purchase of the Church lands by the tenants occupying them. The clauses in both Acts were practically the same, but the one had been a great success. Not less than two-thirds of the occupying tenants—and they were between 5,000 and 6,000 in number—of the lands of the Irish Church had bought their holdings, which showed that they had money wherewith to buy land. Now, if the same process were adopted upon the Land Act, and if some public functionary——

MR. SPEAKER said, he must remind the hon. Gentleman that he had given Notice of a Motion on this subject for a future day, and that it was not competent to him to address the House on the subject of his Motion on the present occasion.

MR. SHAW-LEFEVRE regretted to be out of Order, but he had alluded to the subject because it was almost impossible to bring it on in any other way. He thought the Chief Secretary for Ireland, as well as Irish Members, might advantageously turn his eyes in this direction. It was one which was recommended by simplicity of action and permanency of tenure, and it was in accord with the schemes devised by other countries improving land tenure by converting it wherever possible into proprietorship instead of tenancy. There were many points which had been raised by the hon. Member for Tralee with which he agreed; but, on the whole, the scope of his argument and the tendency of his Resolution were such that he must, however unwillingly, vote against the Motion if it were pressed to a division. The reason why he must do so was because it was directly in conflict with the ideas of English Members in regard to property, and because he had propounded doctrines which it was prac-

tically impossible should be adopted by an English House of Commons.

MR. MITCHELL HENRY said, that the hon. and learned Member for the University of Dublin (Mr. Plunket) appeared to be the standing counsel for those who thought that no Amendment was required in the land laws of Ireland. When the hon. and learned Member rose he (Mr. Mitchell Henry) could not help hoping that he was about to move the Amendment of which the hon. Member for Kerry (Mr. Herbert) had given Notice—namely,

"That it is expedient that an inquiry should take place before a Royal Commission as to whether any improper exactions of rent have taken place, and generally as to the relations of landlord and tenant in Ireland, and the working of the Land Act of 1870."

Had he moved that Amendment he would probably have found a majority of the Irish Members voting with him; and certainly, for his own part, he should have desired the withdrawal of the present Motion in its favour, so that the Amendment proposing an inquiry into the subject might be submitted to the House. The hon. and learned Member (Mr. Plunket) had entered into a singularly unfortunate line of argument on this question calculated not to bind together the different classes of Irish society, but to separate them. No one could doubt that there was a prevailing sense of insecurity on the part of the Irish tenants. More than that, this sense of insecurity had increased since the Act of 1870, and for this reason—before that Act the law lent no sanction to evictions, but under that Act it was understood that a man might evict a tenant on paying a certain price or paying a certain compensation. The result was that evictions were no longer regarded in the same light as formerly, and were far more often resorted to. It was no longer considered a disgraceful thing to evict a tenant, for the landlord was now regarded as only availing himself of the rights which the law had conferred upon him. He maintained that it was impossible to maintain the same laws for England and for a nation so dissimilar in history, traditions, feelings, and circumstances as Ireland. We recognised in our Colonies the necessity of adopting our land laws to the circumstances of each Colony, and he could not understand why the same system should not be adopted in Ireland. In Ireland the tenure of land had never been a matter of contract. It originated in the tribal relations between Chief and followers. The latter rendered service to their Chief, and were, no doubt, subject to occasional oppression; but they were no more exposed to be turned out of their holdings and no more expected to be turned out than did the children of hon. Members from their ancestral estates. The Irish farmer did within his own family what he expected the Legislature to do for him. There was scarcely a poor cottier who did not save up every shilling he could in order to bestow a portion upon his daughter when she married, or to give a start to his son when he began life. Now, when he found the little store gone which he had accumulated for this purpose, he naturally resented this treatment. The House must enter into these matters and endeavour to understand the feelings of the people, or they would never understand, what he was thoroughly convinced of, that there was no crime which cried more to Heaven for retribution than that of heartless eviction. He might be accused of using inflammatory language; but he was speaking the truth. He himself was supposed to be a good and improving landlord, but he could not shut his eyes to the sight of what was going on, not only in the West, but in the South of Ireland. There was now no doubt many persons who, like himself, had bought land in Ireland of recent years, who looked upon it simply as a means of extorting the greatest amount of money from their fellow-creatures. The hon. and learned Member for the University of Dublin had chided the hon. Member for Tralee for bringing forward cases of oppression without previous Notice to those concerned in them, and so that they could not be answered; but the cases which the hon. Member had cited were cases which had been brought before the Courts, and had been commented upon by the Judges. They were cases in which landlords exercised the power given to them by the Act of 1870 legally, but cruelly. He would, however, mention another case. It was that of a tenant who in 1862 paid £12 2*s.* 6*d.* rent. In 1863 his rent was raised to £24. In 1870 there was a change of landlord,

and he was called upon to pay £40. After great intercession on the part of persons in the neighbourhood, he was told that he might remain at the rent of £24 if he would pay a fine of £170. That showed that the landlords had found out that the tenant had this money which he probably intended for his daughter's portion, or to start a son in life. Knowing this, he had thought it possible to get this £170 out of this poor man. These cases had occurred, and were occurring, daily; and he would ask the Attorney General for Ireland, on his conscience, if he was not aware that the Judges of Ireland had from their seats on the bench of justice made the strongest comments on landlord tyranny in certain parts of Ireland? He had heard with great regret a recent speech of the right hon. Gentleman the Member for Birmingham defending a former Member of the House from the comments of the hon. and learned Member for Cork (Mr. Downing) for acts which had drawn upon him the adverse declarations of three of the ablest and oldest Judges of Ireland in connection with his dealings with his tenants, whose rents he had raised 90, 100, or even 200 per cent. He had heard the right hon. Gentleman indignantly defend his friend, not because he knew anything of the circumstances of the case, but because he thought that a gentleman whom he had long known could not be guilty of these things. The facts, however, had all come out at a public trial, and it was proved that the landlord in question had raised his rents to the amounts stated. They had, moreover, caused murders and widespread misery. They were specimens of what might be done, and what he had no doubt, if the House rejected that Motion, would be done on a more extensive scale. It might be said —"What is the remedy you propose?" He had, for his own part, always felt regret that two new phrases had been introduced into their debates—fixity of tenure and fixity of rent. He would bring about fixity of tenure and fixity of rents; but he would not introduce new names and phrases which were distasteful to the House of Commons. The true and fair thing was to enable the tenants to obtain leases carrying with them the right to renewal. He would fix every tenant on the land, giving him a lease for 20 or 30 years, at the end of which time he should have the right to remain in his home on a revised rent, and as sometimes it was difficult to settle the rent with unreasonable people, he would have in Ireland two or three Judges for the express purpose of taking the land cases, going circuit like other Judges, and having attached to them skilled assistants for every county, who would sit with them. At present, under the Act of 1870, cases between landlords and tenant relating to compensation for improvement and other matters went before the County Court Judges, whom the people sometimes regarded with distrust as being more favourable to the landlord than to the tenants. While some of them gave the tenants a fair sum by way of compensation for eviction, others gave little or nothing, and there were constant appeals from their conflicting decisions. The result was that the people had not got near so much benefit from the Land Act as they might have done had it been differently administered. The hon. and learned Gentleman the Member for the University of Dublin had told them of the great benefits that had resulted in Ireland from the famine. That emigration and pestilence had led to the great diminution of her population. But he (Mr. Mitchell Henry) maintained that Ireland could support a population two or three times greater than now, if the land laws were placed in a better position. It was a shocking thing to talk of the disappearance in 30 years of the half of the population, as if it were merely the clearing out of an overcrowded rookery in St. Giles's. What, too, he might ask, was the case of the former over population? Why, the state of the law which induced landlords to split their property up into the greatest number of farms in order to obtain the greatest possible number of votes. The Legislature had given the temptation, and they were not, because they had since changed their minds and adopted wiser views as to the franchise, entitled to say that it was a happy thing that half the population of Ireland had been swept away. The hon. Member concluded by expressing a hope that the Government would agree to the appointment of a Royal Commission to inquire into the subject.

MR. STORER said, that there was a well-known proverb, to the effect that when one's neighbour's house was on

fire, it became us to look well after our own, and it appeared to him that the Resolution of the hon. Member for Tralee (the O'Donoghue) was one that ought to put the landlords and tenants of England upon their guard. He looked upon this Resolution as partaking as much of the nature of political fireworks as the Motion in reference to Home Rule did, and thought that the speeches which had been made that evening were intended to produce an effect, not so much upon the House of Commons as upon the people of Ireland, in order to keep up political agitation in that country. The only operation that the Resolution could have, if carried, would be to give the tenants of Irish farms a perpetual lease of their land, and as long as they paid their rent to prevent their landlords from having any control over it. The proposal was a dangerous one, because it might be taken hold of by agitators who in times of distress might endeavour to excite English tenants of the lower class. They had been treated to the old argument as to the tenure of land in Ireland under chieftains ages back. The same might be said of England, and still later of Scotland, where the clan system survived till very lately. But they did not wish to revert to barbarism, and why should Ireland? He had heard a great deal about improving tenants, but not a word had been said about those who deteriorated their land. If the tenants of Irish farms were once impressed with the idea that they were entitled to hold their land in perpetuity, it would be exceedingly difficult to convince them of the necessity of paying rent at all. In his opinion, the tenants in Ireland should be placed exactly in the same position as those of England and Scotland. Hon. Members from Ireland were always crying out for equality, and he thought that equality should be complete in every respect. He saw no reason why the occupiers of land should be treated on a different principle from persons who were engaged in any other industry. When a tenant in England found that he could not continue to occupy his land to his own advantage he gave notice to quit, and did not come to Parliament for assistance; and the Irish tenant ought to follow the same course. He was rather surprised that the hon. Member for Galway (Mr. Mitchell Henry) should have declared himself to be an improving landlord after the hon. Member who had moved this Resolution had stated that improving landlords in Ireland were looked upon with abhorrence and detestation. In his opinion, however, an improving landlord was entitled to great credit as benefiting both his tenants and his country. The hon. Member who seconded the Resolution (Mr. Errington) had asked why land in Ireland should be worth only 20 years' purchase, while that in England was worth 30 years' purchase. It was because there was security for neither life nor property in that country. What sane man would invest his money in land in Ireland when the tenants believed that they were to get it for nothing? He admitted that there might be some ground for complaint on the part of the Irish tenants, just as for English farmers, with regard to the unfair taxation of native produce; but, still, their relations with their landlords should be regulated by ordinary commercial principles, such as those which governed landlords and tenants in other countries, and the laws of political economy must not be set aside merely that hon. Gentlemen from Ireland might indulge in those ridiculous and insincere manifestations meant for political purposes only.

MR. O'SULLIVAN, in rising to support the Motion before the House, said, that he would commence by admitting that there were a large number of good landlords in Ireland; and in the county which he had the honour of representing he was glad to have to say that the large majority of the landlords in that county were just and fair to their tenants. He need only look at the other side of the House to one of those landlords in the person of the hon. Baronet the Member for Devizes. If every landlord in Ireland acted like the hon. Baronet and his brother there would be no occasion for the advocates of the tenant-farmers in this House asking for a Tenant-right Bill to protect the Irish tenants from rack-renting and evictions. During the last 30 years he never heard of an act of cruelty or oppression on the property of the hon. Baronet or his brother. Unfortunately for the country, and for the landlords themselves, all the landlords were not of that stamp, as they had many black sheep in their midst; and it was because they had those black sheep among them that they

had to come before the House to ask it to compel the bad landlord to do that by law which the good landlord did voluntarily as a simple act of justice, on the principle of live and let live. He did not purpose following the hon. Member for Kerry (Mr. Herbert) in his wild statements about the Irish tenantry and all they required, but merely to remind the hon. Member that if he had not promised the rev. Father O'Donoghue previous to the last Election, that he would vote for a Bill to secure the tenants in their holdings at fair rents, the hon. Members would now be in that House to misrepresent the large majority of the electors of Kerry. He woufd relate some cases of landlord cruelty and oppression that occurred very recently within the county which the hon. Member represented, and he felt satisfied when the House heard the facts of these cases, they would admit there was sore need of some law to restrain landlords in their dealings with their tenants. About four years since the life interest in the estate of an old Nobleman in the county Limerick, amounting to about £1,400 a-year, subject to some large charges was sold in the Landed Estates Court. Well, the interest in the life of this old man, who was rising up to 70 years, was so very little that the tenants and others concerned did not suspect that anyone would interfere with the next heir to the estate, and that he, or his representatives, would get it as a matter of course, without opposition; but after the sale they found they were very much mistaken, as there was a party in the neighbourhood, a money lender, who saw he had a good opportunity of squeezing money out of the poor tenants. So he bid for the property, and he got the rental of over £1,300 a-year during the life of this old Nobleman for the important sum of £1,600. He should have mentioned that on the estate of this old Nobleman (Lord Lisle), and his father before him, tenants were never disturbed from their holdings except for non-payment of rent, for they had a good agent as well as a good landlord. But what a change had come over that estate, where tenants, up to that unfortunate sale, felt as sure of their holdings as they did of their existence. During the last two years this speculator had evicted the tenants off three of those farms, and had taken them into his own possession without giving the tenants one shilling compensation. The tenants owed no rent more than the running gale, and he assigned no reason whatever for evicting them. If it occurred in the North their tenant-right would be worth over £3,000. Ten or eleven other tenants he compelled to pay over £1,500, or about as much as he gave for the whole property, though he was not able to give them one month's security in their holding, as he had only the life interest of the old Nobleman. He gave that case to show the House how unfortunate poor tenants in his county were treated, and to show the necessity there was for some security for them. There was another case of landlord's cruelty on Mr. Buckley's property, to which he would allude more fully—most of the injustice having occurred in his county—were it not that his hon. and learned Friend the Member for Cork County (Mr. Downing) had done so on the second reading of the Land Bill; but there were one or two matters in the case which he thought the House should know, they not having been touched on by his hon. and learned Friend. One was the number of notices to quit served on this estate, the next was the valuation of the celebrated Mr. Bridge, and the third was the class of tenants on this estate. He would first read a short extract from Bridge's evidence when under cross-examination in Cork. He (Mr. Bridge) could not tell how many hundred notices to quit were served on this estate, but on close examination he admitted he had 130 notices to quit out at one time. Was it any wonder that trouble and alarm should have existed in this district under such circumstances? And those notices were served for the purpose of increasing the rents of those tenants for the very improvements they and their fathers made in this mountainous district. He (Mr. O'Sullivan) felt very great interest in the alarm and the outrages which took place on this property, as part of it was in his county, and he well knew that, previous to its unfortunate connection with the notorious Mr. Bridge, it was as peaceful a district as there was in all Munster. So he wrote to a friend of his, who knew that part of the country well, to know what he thought of the tenantry on this estate, and the cause of the outrages. He would read one short extract from the gentleman's letter

to show what he thought of the tenantry on this property. He said—

"I know the tenantry on the Buckley estate over 30 years, and a more peaceful or industrious people I never knew. I firmly believe if they were paid for the labour alone which they expended in drawing manure on their backs to this mountainous district for reclaiming the land, and their continual work in extirpating the furze and the heather, it would more than purchase the fee-simple of half the estate."

Those notices to quit were served because the tenants would not submit to an exorbitant increase of rent which was placed on them by this man, Bridge. It was well known in the counties of Limerick and Cork that this Bridge never placed a fair or honest value on a tenant's holding, and he (Mr. O'Sullivan) did not make that assertion to the House without being in a position to offer some evidence in support of it. He would tell the House one fact in connection with Mr. Bridge's valuation, and he felt sure it would be found to be a true illustration of most of his valuations. He knew a respectable man, named Mahony, who held a small holding at Kildorry, where this Bridge was agent. He believed the old rent was about £5 or £6 a-year. When the lease expired Bridge increased the rent to £14 per annum, on account of the improvements made by Mahony. Mahony protested against the increase, but to no purpose. He had to submit or quit his holding, on which he expended a large sum in buildings. Hon. Members might think the rent was not exorbitant, but he would prove to the House that it was by the fact that the very first time the landlord, who was James, Earl of Kingston, came on the ground, his attention was called to the largely increased rent put on the holding by Bridge. He admitted the rent was too high, and ordered it to be reduced to £10 per annum, thus taking about 30 per cent off Bridge's valuation. He (Mr. O'Sullivan) felt quite sure that if every one of the five or six hundred cases of notice to quit on Mr. Buckley's estate were examined by any hon. Member, they would be found to be more or less extravagant and unjust like the one he had just quoted. In conclusion, the hon. Member hoped he had shown sufficient reasons to warrant the House in passing the Motion or granting an inquiry which would secure the tenants in Ireland against the petty tyrant, the rack-renter and the exterminator.

LORD FRANCIS CONYNGHAM: Sir, at the request of the hon. Gentleman the Member for Kerry (Mr. Herbert), I beg to apologize in his name for his not having been able to move the Amendment standing in his name on the Paper. While in the House he received a telegram which obliged him to leave at once, owing to the serious illness of a very near relative. He begged me to express his regret, as he knew how much interest was felt by Irish Members and in Ireland upon this question.

MR. STACPOOLE expressed a hope that the Government would give his hon. Friend (the O'Donoghue) such an assurance as would induce him to withdraw his Motion, and let the Amendment for a Royal Commission be adopted.

MR. BRUEN was constrained to say, after what had fallen from hon. Gentlemen opposite, that the Irish landlord was about the best abused individual in the Kingdom. It was painful for him, being a landlord, to be assailed in that way, and it was also painful for him to have to stand up and plead for landlords who had really done their duty to their tenants and had been kind to them. But being an Irish landlord—no better, and he hoped no worse—and in some measure representing the Irish landlords, he felt bound to say something on the subject, and to deny that they deserved the condemnation which had been passed upon them by some of the hon. Members who had addressed the House. He asked the House to believe that the cases mentioned by the hon. Member for Tralee were not typically true. As far as he had heard, only one of the cases mentioned by the hon. Member had been commented on by a Judge. He protested against the assumption of the hon. Member, that because land in Ireland had increased in value, therefore the valuations bore no fair proportion to the real value. Since Griffith's valuation, no doubt, land in Ireland had increased in value, just as the produce of land had increased in value. If higher rents were asked for improved values of land, the rents were paid, with, perhaps, a little grumbling, and it was only fair that landlords should demand an increased rent for their property, which had improved in value. In all cases where the tenant was obliged to

give up the possession of land owing to an increase of rent, he could go into Court and obtain full value of his improvements. The produce of land, as he had said, had increased and was of higher value, and consequently the landlord demanded the increased rent, but he denied that in so doing they fixed their demands according to the tenants' improvements. The tenants' improvements were valued; in general, the tenant's own valuation was taken, and the amount was either paid to him in money, and then the full value was demanded in rent or, if not, a deduction was allowed corresponding to the improvements made. The hon. Member for Tralee said that since the passing of the Land Act there had been a great increase in the rents owing to tenants' improvements. Well, the increase in the value of land since the Land Act was the property of the landlord, if not created by the tenant, for the land had increased in value since the passing of the Act. Then it was said that the tenants only improved the land. But that was not the case, for the landlords made enormous improvements. As to the charge that evictions were constantly being carried on in Ireland, what were the facts? The Returns showed that the evictions on notices to quit amounted to one in 1,400 tenants. Did that prove that evictions were constantly being carried on in Ireland? What had Lord St. Leonards said in 1868? His Lordship said that—

"The facts which had come before the Committee were diametrically opposed to general opinion in regard to the relations between landlords and tenants in Ireland. It had been said that the landlords spent nothing in improvements, but in the evidence which had come before the Committee the landlords laid out more money in improvements tham landlords did in this country."

As to the rents of land in Ireland being high, that was a matter of opinion. The pamphlet of the hon. Member for Linlithgow who was in Ireland at the time of the passing of the Land Act said—

"There was one thing favourable to the settlement of the question, and that was the low rents at which the lands of Ireland are let. With such low rents as are paid for grazing lands in Limerick and Tipperary, and fixity of tenure, I should infinitely prefer being a tenant to being a landlord.

He believed the real fact was that 99 out of every 100 landlords in Ireland did not over-rent their land, and the charges which had been made against them were entirely unsupported by evidence. But it was said that these things had been done since the passing of the Land Act, but the landlords were the same as three years ago, and that short space of time could not have made them grasping and tyrannical. As to cases of injustice, the right hon. Member for London University said that he had sat on several Committees of the House of Commons to investigate the question of the land, but he had never found a charge of ill-treatment of the tenant verified with dates and circumstances. A Commission or inquiry had been suggested, and, as a landlord, he did not shrink from it. He was quite sure nothing could be proved against the landlords as a body. The appointment of a Commission would imply that the House believed charges which had not been substantiated. No case had been made out for inquiry, and the instances which had been adduced had not been gone into with sufficient detail to enable the House to say that they established even a *primâ facie* case of grievance such as the House ought to be certain of before it passed so heavy a sentence on the landlords. If a Motion for inquiry were brought forward, he would not vote upon it, because he would not have it said that any landlord had voted against inquiry into his conduct, although, in his opinion, there was no ground whatever for such an inquiry. The Resolution practically embodied one of the propositions of the Bill already rejected—namely, that with regard to valued rents—and it was a waste of time, by a Motion of this character, to revive a question which had been discussed and determined. To show the kind of fair play and justice that were to be meted out to the landlords he would quote two sentences from a speech of the hon. Member for Kildare at a Conference held in the Rotunda in January, 1875. The hon. Member said that—

"No landlord should be allowed to treat land as he treated property in a horse," but that the "tenants demanded that they should be entitled to deal with the land as they would deal with any other commodity. They must be allowed to bring the land into the market and realize the highest value they could for it and be allowed to sell it without restriction."

Such were the ideas with which some approached the discussion of this question.

He hoped the friendly relations now existing between landlords and tenants would not be disturbed by the speech of the hon. Member for Tralee, and that those relations would be influenced rather by the moderate tone of other speeches, for he was afraid the repetition of such strong condemnations and the advocacy of such violent measures would produce some sort of retaliation by the landlords. That in itself would be most unfortunate. The clauses of the Land Act were carried against the feelings of the landlords, and their views of what was just and necessary; but, as they had been passed, the landlords had loyally endeavoured to carry them out. For the reasons he had given he hoped the House would not pass the Resolution.

SIR PATRICK O'BRIEN thought the question under consideration had been treated too much in the narrow spirit of the advocate. One side was all in favour of the landlords, and the other was in favour of the tenants; but what was wanted was a more judicial consideration of the question. It ought not to be approached in a spirit of antagonism, either to the landlords or the tenants of Ireland. When, in 1870, an appeal was made to the Irish Members by the then Prime Minister on the subject of his Land Bill, he thought it right to tell the right hon. Gentleman that he did not believe the people of Ireland would accept the Bill as a fixed settlement of this question. He imagined that no one would dispute the statement that advantages had resulted from the Act of 1870. On the other hand, however, some hon. Members seemed not to be aware of the fact that a great many landlords who, prior to the passing of the measure, were extremely good landlords in the world, considered themselves, after it became law, released to a great degree from the obligations their position imposed upon them. Those landlords, in effect, said—"You have obtained this law, and we are, as the result, relieved from those special duties which heretofore we conceived were incumbent upon us, and we are now no longer bound by anything but the letter of the law." As a landlord himself, he could say there was so much uncertainty in the three or four counties with which he was best acquainted that the Motion for an inquiry into the operation of the Land Act was one which any fair man would be disposed to support. The hon. Member for Carlow (Mr. Bruen) seemed to be under the impression that if the House granted an inquiry into the subject, it would be an admission that the landlords of Ireland had been guilty of a gross dereliction of duty. He (Sir Patrick O'Brien), however, did not concur in that opinion. It could not be doubted that notwithstanding the improvement arising out of the legislation of 1870, the tenant farmers of Ireland were not in a condition to say that they occupied with certainty the position to which they were entitled, and they were of opinion that there ought to be something like certainty as to their tenure. His father had been accustomed to grant leases, the rent for which could easily be ascertained; and this system, if pursued generally, would in a great degree have lessened the existing land agitation. The days of exalted status derived from the possession of land, was a thing of the past. The practical solution was, that the tenant should derive a compensation for the expenditure of himself and his ancestors upon it. He believed that 99 out of every 100 landlords were well disposed towards their tenantry, and he referred especially to those who had not taken up the acquisition of land as a mercantile speculation. His opinion was that on the present occasion the simple duty of the House was to consider in fairness whether any *primâ facie* case for inquiry had been made out; and he thought that even those who were of opinion that no grievance existed might concur in permitting an inquiry, from which, if their opinion was correct, no harm could ensue to them.

MR. GREENE opposed the Motion, remarking that he was puzzled to know which question was to be discussed. He had not voted, he was happy to say, for the second reading of the Bill of the right hon. Gentleman the Member for Greenwich, as it was most objectionable, because it contained the principle of confiscation. It went very much further than he believed was proper, and he thought the people of Ireland ought to be contented with what had been granted to them. Parliament was willing to consider any grievance which the Irish Representatives might advance, but

moderation would have to be observed, and evils which had no substantial foundation ought not to be advocated to the loss of the public time. He had great interest, although no property, in Ireland; and the House ought to take an interest in the question. He did not believe that hon. Members opposite could bring forward any bad cases of eviction. Hon. Members were ready to hear all that could be said of Irish affairs, and he hoped that the Irish Members would allow them to have an opportunity of dealing with English affairs, which they had not always had of late. If tenants were to be entitled of right to leases perpetually renewed, no landlord would have a right to do what he pleased with his own land, even though he wished to enter upon and cultivate it himself. What was necessary for the good of Ireland was not for gentlemen, either in Parliament or out of it, to get up agitations; but for people to be taught the importance of putting their shoulders to the wheel and making the best of a state of things under which they were, relatively, more prosperous than the English. Supposing England drew a cordon round her shores and prevented Ireland sending her produce to our markets, where would she be? Why, Irish people would be shut up in in their own Island, and would eat each other up. The cries of "Fixity of Tenure," "Leases," and "Home Rule" were all very well, but he feared they were used mainly for the purpose of catching votes. He was one of those who thought that an act of injustice in favour of the tenant had been committed by the Act of 1870; and the sooner, in his opinion, the House divided on the question before it the better, for what was proposed to be done was simply to make the landlord a mere rent-charger on his own property.

MR. PATRICK MARTIN said, he gladly acknowledged that there were many landowners in Ireland, such as the Marquess of Ormonde, Lord Mountgarrett, and Lord Portsmouth, by whom tenant-right on their estates was practically conceded; but it was not against them that the Motion of the hon. Member for Tralee was directed. He regretted to say there were others who forgot and neglected the duties which their position imposed upon them. It was in condemnation of the dealings of this latter class with their tenants he understood the terms of the Resolution. Words had, it was true, been used which might be considered to assail the entire body of Irish landlords; but the tenants, as a class, had much more reason to complain of the accusations so ignorantly made as to the object of their tenant-right agitation. From having been present at many of the tenant-right conferences and meetings, he could say that, excepting, perhaps, cases where a few expressed very extreme views, the tenants asked nothing but what was fair and reasonable — they demanded nothing beyond what every hon. Member who was a landlord, and who had spoken on the subject, declared the tenants enjoyed on his own estate. The mode in which the just landlord would benefit from security might well be exemplified by the estates of Lord Portsmouth in Wexford. The agents of his Lordship asserted that what had made the tenantry happy and prosperous was the practical observance of the rules of tenant-right. The rules there were that in the selection of tenants regard was paid only to character, skill, and capital, without reference to religion or politics. New leases were granted to representatives of old tenants at moderate rents, and at the expiration of leases rents were fairly adjusted, having regard to situation and capabilities of soil. Forty years of such a system had inspired the tenantry with confidence and energy, had changed barren land into fine farms, had enabled them to erect suitable substantial residences, and changed a collection of mud hovels into an important market town. What the tenants demanded was not to be freed from payment of rent, but to be relieved from apprehensions by which their industry was paralyzed, and from a system of rack-renting under which the improvements made by them on their farms were confiscated. He begged the House to bear in mind that the position of the Irish tenant was entirely different from that of the same class in this country, for the former, when deprived of his holding, had nothing but the workhouse or emigration before him. So considerably did the demand for land exceed the supply that contracts in respect to land amongst the poorer class of tenants could be said to be only nominally free. It was not true that this ques-

tion had been brought forward merely as a display of political fireworks for election purposes. For his part, he believed it to be essential to the prosperity of Ireland that a tenant-right should be created. He could understand an opponent saying that, as he had opposed the Tenant Act of 1870, so he would oppose the present proposal. But it was too late to take exception to the principle involved, for the Act of 1870 had established the principle that Parliament might require bad landlords in Ireland to do what the good landlords did of their own accord. The hon. Member went on to give details, from his own personal knowledge, of evictions that had occurred on the estate of Captain Humphrey in the county of Kilkenny. Without special selection he might mention four cases of yearly tenants on that property: in one the value of the holding according to Griffith's valuation was £34, the rent paid by the tenant £49, and the rent demanded under the notice to quit £76. In another case the value was set down at £37, the rent paid £57 17*s.*, and the rent demanded £77 4*s.* In the third the value was £7 18*s.*, the rent paid £7 19*s.*, and the rent demanded £28. In another instance the value was £32, the rent paid £53 5*s.*, and the rent demanded £68 1*s.* 6*d.* But for timely and good advice there certainly would have been outrages in the district where the evictions in question occurred. The need of legislative interference was urgent. The changes of proprietors had made but too general the disproportionate raising of rents. It was quite true that produce had increased in value, but the price of labour and the burden of taxation had also increased in Ireland. It was wholly out of the question to let land in that country at competition value. The treatment of improving tenants had in many instances, which he could mention to the House, been outrageous. An English gentleman took the lease of a farm in Kildare within six years of its termination. The farm was in a very exhausted state, and he made it a model farm. He could only obtain a renewal of the lease on exorbitant terms, and his compensation under the Land Act amounted to merely a nominal sum having regard to his expenditure. On the Gormanstown estate tenants had been evicted, because they would not sign agreements which even the Chairman for County Meath condemned as unfair, and depriving them of the right to past improvements. There was but too much reason to apprehend that this unreasonable, capricious exercise of the legal powers which the law vested in the landlord had brought the law into contempt and disrepute. On the Darnley estate an improving tenant had taken a farm on a 21 years' lease. The land had been impoverished to a degree; but by skill, money, and manure, he praised it to the highest state of cultivation. Before the expiration of the lease he asked Lord Darnley to renew. After some delay a considerable increase of rent was proposed and acceded to. A printed agreement was then produced, stated to be the usual form of agreement on Lord Darnley's estates, according to which the tenancy was only from year to year, determinable at six months' notice, all the tenant's improvements being forfeited to the landlord, and on the death of the tenant no interest was transmissible to his personal representatives. These agreements were forced on the Darnley tenantry, some of whom were poor men who could not resist the pressure. Were hon. Members from Ireland to be assailed because they saw urgent need that the Land Act should be amended? Another great grievance was the uncertainty of the decision of the tribunal. There were 30 Chairmen altogether, and many of them adopted a totally different principle in deciding the amount of claims for compensation that should be awarded to evicted tenants; and, in addition, there were different constructions placed upon the Act of 1870 by the learned Judges of Assize to whom appeals against those varying decisions lay. All these diversities of opinion and judicial treatment diminished the protection intended by that Act to be given to the poorer class of tenants in possession of small holdings. He thought that a strong case had been made in favour of the Resolution. Security of tenure woulde xercise an influence for good on the moral and social condition of Irish tenants. He trusted some measure might soon be passed which would give to the tenants a just legal protection, and free them from the dread that the very capital, skill, and

industry which they had expended on their farms, might not be the cause of their rents being increased.

MR. R. POWER, while admitting that the debate had not been a very lively one, thought that, at all events, it had been instructive. It was impossible to exaggerate evils that would arise if a Resolution like that now before the House were to be rejected. The contention that the farmers of Ireland should be placed upon the same footing as those of England was not sound, inasmuch as those laws which might be suitable to the constitution of an Englishman would not agree with the temperament of an Irishman. This question had been before the public, it had been discussed in the newspapers, it had been debated in that House, and it had been made one of the principal subjects upon every electioneering platform. There were few Irish Members of that Assembly who had not given some pledge that they would seek for a reform in the land laws of Ireland. He did not intend to make an attack upon the landlords of Ireland. He thought they were as a rule good and generous men, but the bad and unjust acts of a few brought disgrace upon many, and caused much turbulence and bitter feeling in the district, and sowed suspicion in the heart of every neighbouring tenant. The landlords in his own county were the best landlords and the worst politicians in Ireland, but who could tell what their successors might be—these men had been so good for so many generations that it was but natural to expect that some bad ones would shortly appear. What was the objection to this proposal, and to the Land Bills which had been brought forward in this House? The pill which the landlords refused to swallow was fixity of tenure. He could assure them that their dislike to it was solely imaginative, and that however nauseous it might seem at the first taste it would, when it had time to operate, do them a world of good. He knew cases where families had lived on land for centuries without any disturbance or increase of rent. That had been fixity of tenure, as it affected the rights of the landlord, but not as it affected the improvement of the land or the interests of the tenant, because the tenant was unwilling to invest his capital and labour in an uncertainty. It was said that unless there was personal valuation an injustice would be done to the landlord. If land was to be valued for what it was worth, the tenant's improvements must be valued, and in order to accomplish that it was necessary to know the exact condition of the farm at the time the tenant took it. The Irish landlords were short-sighted individuals, and they ignored the advance of chemical and other sciences; they appeared to imagine that their worn-out and perhaps rack-rented fields could compete with the boundless prairies of America and Mexico, or the well-kept fields of the sister country. But he did not understand in what the idea of the continued increase in the value of land was founded. But even if the tenant was benefited by the increase in the value of the land, the landlord would not the less be benefited. It would be recollected that good landlords did not rely upon the power of resumption, or look to it as a source of profit. He quite admitted that the Land Act was well meant, but it could only work for the advantage of a tenant on condition that he was willing to engage in a lawsuit with a man much wealthier than himself. He was not, of course, willing to accept this condition, and the consequence was, that he did not invest in the land those savings which the accounts of money deposited in the banks or the family stocking showed that he possessed. Why? Because the tenant feared that if he invested his money, it, together with his labour, would fall into the hands of his landlord at the expiration of a certain number of years. Their object ought to be to induce tenants to invest capital and labour, because thereby the food supply of the country would be largely increased. By this means the value of the landlord's property was increased, and if it was said that he would thus be reduced to the condition of the owner of a mere rent-charge, it must not be forgotten that the power of resumption would still be left to him, and that his security for the punctual payment of his rent would be increased by the improvement in the value of the land. They did not seek to diminish the value of the landlord's property, but, on the contrary, to place it on a firmer basis by rendering it consistent with the welfare of the country. That the farmers of Ireland had capital was proved by bank returns. That the present system

did not offer sufficient inducement to them to invest their capital was proved by the fact that they did not do so. More than once in this debate the question had been asked—Why did not the Irish tenant as the English tenant improve? but he would ask, why did not the Irish landlord do as the English landlord? The Irish landlord never made improvements himself, nor would he allow his tenant, by giving him security of tenure to do so. Security of tenure would tend to give a higher rent, because it would induce tenants to sink their capital in farms, and in consequence of the improvement of the farms there would be increased competition for them. He would allow the tenant to take his farm as he took his wife, "for better or for worse." Of course, there was some risk and some speculation in both cases, far less, he believed, in the case of the farm. However, he hoped the House would agree with him, that security of tenure was as desirable in the one case as in the other. That idea of security of tenure was no new or Utopian scheme. In France, the half-starved labourers of the old *regime* had been replaced by petty proprietors who formed the richest and most Conservative peasantry in the world. They wanted to make a similar revolution in Ireland, and if they could not all at once make the Irish peasantry proprietors as in France, they could at all events, by giving them security of tenure, make them part proprietors. They wished to close for ever that miserable war between landlord and tenant, which, so long as it existed, must be a stain upon the character of the country, and must tend to check her social and material prosperity.

THE O'CONOR DON could not allow the Motion to go to a division without explaining the course he intended to adopt. Because he had on a former occasion opposed a Bill founded on wrong and unjust principles, which he believed would be injurious to those whose interests it was intended to promote, he should be very sorry if it were supposed that he was indisposed to give due consideration to any just claims made on behalf of the tenant-farmers of Ireland. Notwithstanding all the abuse which had been heaped on him in Ireland, and the representations which had been made, picturing him as the opponent of the tenant-farmer's interest, and as the advocate of the most extreme landlord views, he ventured to assert that few hon. Members were more anxious than he was to support any just claim possessed by the tenants, or to see them protected in the enjoyment of the fruits of their industry, and not deprived of those fruits, either by rack-renting, or by any other process. He had always held that no settlement of the land question in Ireland could be final or satisfactory until they had established in some way or other in that country a large class of men who united in their own persons the two positions both of occupiers and owners. He was far from concurring in many of the statements of the Mover of the Resolution. The hon. Member for Tralee (the O'Donoghue) had made grave charges against the landlord class as a whole. He would not himself then enter into the consideration of those charges; but he held that having been made, and gaining considerable belief in Ireland, it was important that they should be thoroughly investigated. He could not agree with the assertion made by his hon. Friend the Member for Carlow (Mr. Bruen), that, in assenting to that investigation, they would thereby admit that the charges were made out. They knew that those charges were preferred, and also that the conduct of a few unscrupulous persons had brought discredit on the class to which they belonged, and therefore he desired an investigation. He understood that the Question the Speaker would put to the House would be, that he do now leave the Chair—in other words, that the House should pass away from the consideration of the subject. Now, he did not think they should pass away in that manner from its consideration. The hon. Member for Kerry (Mr. Herbert) who had given Notice of an Amendment to the Resolution under discussion had been called away, and could not move his Amendment; but if the House came to the conclusion that the Speaker should remain in the Chair, and the Resolution of the hon. Member for Tralee became a substantive Motion, it would then be in the power of any hon. Gentleman to move the hon. Member for Kerry's Amendment. If no one else moved that Amendment he (the O'Conor Don) would do so himself. Therefore, he would in the first instance vote that the Speaker remain in the Chair.

MR. M'CARTHY DOWNING, though he did not agree with much that had fallen from the hon. Member for Tralee (the O'Donoghue), yet thought that that hon. Member did not deserve the severe animadversions which had been made upon him by the hon. and learned Member opposite (Mr. Plunket). He regretted the very strong language which had been used by the hon. and learned Gentleman, who had no right to characterize the supporters of that Motion—who had as great a stake in the country as their opponents—as desperate and reckless in the course they were taking. He wished to invite the attention of the House to a few facts bearing on the Motion before them. They were not discussing a Bill. The real question that the House had to decide was not that the tenantry of Ireland should have fixity of tenure, but simply that there should be an inquiry, either by a Select Committee, or a Royal Commission, whether, after six or seven years' experience of the working of the Irish Land Act of 1870, that Act had not failed to secure the object of its promoters, and whether it did not require to be amended to a very large extent. It was stated by the Devon Commission that, while in England everything was done by the landlord in the way of building, putting up gates, and so forth, to enable the tenant to cultivate his land, the very reverse was the case in Ireland, where everything was done by the tenant. He need not read what was stated by the same Commission about the labouring classes in Ireland, for whom nothing had been done up to the present time. On the Motion for the second reading of the Bill of the hon. and learned Member for Limerick (Mr. Butt), he alluded with pain and regret to a particular individual, but representing the county which he did, he felt bound to refer to the circumstances connected with the Michelstown estate. If there were no other case which could be adduced, the circumstances connected with that case would justify him in asking for, and the House in granting, a Royal Commission to inquire into the the facts. He would read a portion of the judgment delivered by three as able Judges, and men as pure and with as high a sense of justice as any that ever presided in a Court in Ireland, when application was made to them by Mr. Bridge for a criminal information against a third party. Mr. Justice Barry, after reviewing the facts of the case, used words to the effect that a more unjustifiable course of proceeding during his experience at the Bar or on the Bench had never come before him. Mr. Justice Fitzgerald, in a portion of a judgment also declared the proceedings to be "high-handed and oppressive." He must respectfully appeal to the right hon. and learned Gentleman (the Attorney General for Ireland) for his opinion on the subject, for if every landlord in Ireland had acted as Mr. Buckley had done, there would have been a rebellion in the country. He was surprised that the hon. Member for Cavan (Mr. Biggar) was not one of the very first Members to rise to support, at all events, an inquiry into the action of landlords such as the one he described. He believed that nearly every landlord would be glad of this inquiry, even though some of them had taken advantage of the law to exercise their powers unfairly. The tenant was often treated very ill; and, in the words of Mr. Justice Fitzgerald—"What was he to do?" All he could do was to pay as much rent as possible, in order to keep a roof over the heads of his wife and children and save them from the roadside. He would like to know whether all landlords were to be allowed to raise rents in this manner? If so, there would be rebellion. One gentleman had showered notices to quit like flakes of snow upon his tenants. The rent, in one case, had been raised from £5 7*s.* 6*d.* to £17 10*s.* There were landlords who had never turned out a tenant; and they would be glad if this inquiry were granted. But there were others who were silently raising the rents. He had moved for a Return, which showed that the ejectments after the Land Act exceeded in number those before the Act by 50 per cent. Was not that a pregnant fact? The right hon. Gentleman the Chief Secretary was bound to make inquiry, and the Commission, he believed, would report that the statements of the raising of rents made in the House were actually understated. There was a great quantity of waste land, and if they had capital, double the population of Ireland might be employed on it. He was therefore compelled to differ from the hon. and learned Member for Dublin on the subject of waste lands, considering the

number of men at present supported by every square mile. In conclusion, he trusted the House would not be led away by hon. Members who were quite unacquainted with Ireland; but that it would be guided by those who had lived among the people and had sympathized with their sorrows. The House was not called upon to decide whether the tenant should hold the land in perpetuity, but to inquire whether the Act of 1870 had not failed, and, if it had failed, to consider how it should be amended.

MR. KIRK said, he was of opinion that the Land Act carried by the late Premier, though honestly intended, had proved to be a signal failure in consequence chiefly of the Amendments introduced during its passage through that House. That measure was satisfactory only because it was an admission by the Representatives of the United Kingdom that the Irish tenant-farmers had an interest in the land they occupied that ought to be protected just the same as the interests of the landlords. Statistics showed that capricious evictions instead of ceasing had, in fact, increased in numbers since the passing of the Land Act. He was informed that the amount given for compensation in the South of Ireland, was comparatively valueless to the tenants. In that part of the country the Chairmen of Quarter Sessions, who were generally landlords themselves, acted, as an almost settled rule, that if a tenant had been in possession for 10 years before he was evicted they would not give him any compensation for permanent improvements. He considered this was a great injustice.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, no one could affirm that the subject of Irish land had not been sufficiently before the House for the present Session. It was brought forward a few days ago by the Bill of the hon. and learned Member for Limerick (Mr. Butt) in a form that could hardly be rivalled, and now, in a somewhat different form, it had occupied the attention of the House for seven hours. As some of the later speakers had diverged from the actual question, he would remind the House what it was, by reading the Resolution, that was proposed. He ventured to think that no Resolution ever introduced to the House was more misleading, or based upon more thoroughly groundless assumptions than that which was under discussion. It coolly assumed that the rule at present prevailing among Irish landlords was the exaction of confiscating rents, attended by merciless and heartless evictions, whereas the real state of things was wholly different, as every one who had the slightest acquaintance with Ireland, or who even studied the Irish correspondence in English newspapers, was well aware. In support of so startling and extraordinary a Resolution the hon. Member for Tralee, as the result of months of research as the Apostle of this question in the South of Ireland, had only been able to produce three cases, one of which was sufficiently typical to merit attention in passing. This was a case in Ulster, in which a tenant had been asked to pay a rent which was held to be unreasonable, and the Court made the landlord pay over £200 for improvements, and give a substantial sum for disturbance, at the same time allowing the tenant all his costs. Now, if the law was strong enough to punish a landlord so severely in a case like that, he was at a loss to see what necessity there was for making it more stringent. That was the only case mentioned by the hon. Member for Tralee which had come before the Courts, and with regard to the others, it would surely have been only reasonable to have, by proper notice, afforded the landlords concerned an opportunity of having their side of the case presented to the House, so that hon. Members might be put in possession of the whole of the facts. Moreover, the hon. Member for Tralee, although he stated that the cases were very hard, and mentioned the rents paid at a given time, gave no details as to the size of the farms, the conditions of the leases, or, indeed, a single circumstance which could enable the House to arrive at a fair and just conclusion. The hon. Member's speech was remarkable in other respects. He was rather hard upon the Irish landlords who did not improve their land; but he was still harder upon those who did. The non-improving landlord, according to him, was bad, but the improving landlord was still worse. Nor did the hon. Member for Galway (Mr. Mitchell Henry) give any satisfactory details, of either of the cases to which he referred, and as for the case of Mr. Buckley and Mr. Bridge, however much of a god-

send it might be to these debates, it was one of which the House was getting just a little tired. Then as to the case of hardship mentioned by the hon. Member for Kilkenny county (Mr. P. Martin), Mr. Battersby, for whose sake this great change in the law was to be made, so far from being a poor, ignorant tenant, was a man of means and position, and also, he believed, a magistrate of the county of Meath, who was perfectly able to hold his own in any matter of bargain and contract. In the case of Lord Gormanstown, the land had been let originally when rents were very low, they were raised very moderately, and out of 230 tenants 221, before this great wave of agitation got at them, acquiesced. Almost every one in this age of legislative quackery had a panacea for one thing or another, and the hon. Member for Reading had his little plan for redressing the wrongs of the Irish tenant. But how did the case stand? There was a provision in the Irish Land Act which enabled a tenant whose rent was under £15, if he were evicted even for non-payment of rent, to get damages for disturbance from the landlord on the ground that the rent was exorbitant. The hon. Member on the front bench opposite would take away the £15 limit, and the consequence would be that a tenant, no matter what his social position and education might be, might, on the plea that his rent was excessive, obtain the benefit of a provision, which was intended only for the benefit of very poor men. With regard to tenure, it should be remembered that all Ireland was not under tenancies from year to year. There were tenures which were leases for life, with perpetual renewal; there were 99 years' leases; there were leases for three lives and 31 years, and leases for 31 years, and other long terms, which were unknown in England and Scotland. These were important circumstances when one came to consider the occupation of land in Ireland. With regard to tenants from year to year, it would be found that their position compared favourably with that of English and Scotch tenants, especially in the matter of compensation for improvements. If tenants were dispossessed in England or Scotland, they must go. In Ireland, if evicted, they must also go; but they could make their landlord pay to the very last farthing for improvements as well as for disturbance. In Ireland, therefore, where the landlord was often a poor man, he had to think long and anxiously before deciding on evicting a tenant. Then it should be also borne in mind that rents in Ireland were very much below what might be called competition rates, and were lower than those which prevailed in England, Scotland, or on the Continent; and this should not be lost sight of when charges of a wide character were made wholesale against Irish landlords. The Returns that had been asked for stopped short of asking how many evictions had occurred, and merely asked how many decrees for possession had been applied for. Many of these cases were, however, compromised, and the Returns showed a substantial decrease in the number of absolute evictions. In 1876 the number of families evicted was 620, last year it was only 414, so that at the very time this Resolution was brought forward, the actual number of evictions was less than at any previous period. No doubt, the power to evict existed, but it had not been shown that it had been used widely or oppressively, and, therefore, he thought the principle of fixing and regulating rent by anybody except the tenant or the landlord was wholly inadmissible. In fact, this principle of a valued rent, to be valued by any one but the owner, would result in making him the owner not of a fixed, but of an unfixed rent charge. Why not sweep away all freedom of contract? The right hon. Gentleman (Mr. Gladstone) drew a line for those who were thought to require protection, leaving the tenants above them in the social scale to fight their own battles and make their own bargains. But where was this interference with freedom of contract to stop? Why should it not apply to the other transactions of life, and if a man lent another £1,000, why should not the borrower be allowed to fix the interest he was willing to pay? The hon. Member for Tralee did not mention the word "tenure," and he would ask the House in voting for this Resolution to remember that it presupposed a system of fixity of tenure. The House should remember that this underlies it. The whole thing implied fixity of tenure, yet the hon. Member had not employed the phrase in his

The Attorney General for Ireland

Motion, though he could not deny the construction put upon it. This suggestion was a panacea which, of course, had to be considered, and the House had expressed its opinion upon it. It proposed really to read contracts upside down. It proposed that if a man held land for a few years he should hold it for ever. It was the old project for regenerating Ireland proposed by an eminent financier—namely, to turn all the I O U's into U O I's. The hon. Member for the county of Cork (Mr. Downing) asked for a Commission, even assuming that he had no case, because then, if the Commission was granted it might be they would find a case. That was what lawyers would call a fishing case. But why should there be a Commission when no case was made out? Would it not excite false hopes and prolong the agitation; and would it not lead the tenants in Ireland to believe that something would come of it? The alternatives should be fairly considered; supposing that the Commission reported against change, who had power to undertake that these agitating associations would be dissolved? Did not every one know that the agitation would derive new force from the mere granting of the Commission, and that if it reported against change, it would be arraigned as unsatisfactory, and there would be a new outcry for a further Commission, differently composed, with wider powers, and which would only listen to the tenants, and never summon a landlord before them? It was kinder and wiser that this demand should be met by a decided "No;" and he did not believe that a case either was, or could be made out, and it was only in simple justice that he refused to set loose further topics of agitation. The Kerry Defence Association had taken sweet counsel together and had got one piece of advice from a man entitled to be heard with respect by every tenant-farmer. The Roman Catholic Bishop of the diocese in which Kerry is, wrote, in reply to the Secretary of the Association—

> "It is a matter of serious consideration whether your Association is calculated to further the just status of tenants, and whether the statements usually made at your meetings are founded on fact. I am convinced that you have done mischief to those whom you undertook to serve, and that the tenant-farmers could not trust their interests to you."

He thought it desirable most clearly to negative the Motion. He was happy to say that emigration from Ireland was rapidly ceasing, and that that country was now in a state which required no exceptional or startling legislation. The prosperity and peace which Ireland now fortunately enjoyed would ultimately bring contentment and union among all classes, and it was most desirable in the interests of the whole nation to leave the people to work out their prosperity by their own intelligence, industry, and self-reliance.

MR. BUTT thought it was necessary for him to say a few words, as it was evident that the hon. and learned Gentleman who had just sat down had a little misunderstood that Resolution. It said nothing about fixed rents, nor about valued rents; it simply affirmed that for the protection of the property already given by the Irish Land Act to the tenant more legislation was necessary. For a long time all the improvements made on the soil of Ireland were made by the tenant, and not by the landlord. Of late years there had been some exceptions to that rule; but, in the main, all existing improvements had been effected by the tenant. Under that system instances which Lord Clarendon had not hesitated to call robbery had been common. A Conservative Government had brought in a measure to protect tenants' improvements; but unfortunately, Mr. Napier's Bill was not passed, and evictions went on, by which unscrupulous landlords put into their own pockets the value of immense improvements made on the land by the labour and capital of their tenants. To correct that injustice, the Land Act of 1870 was passed, and by that Act the Legislature had solemnly recognized the property of the tenant in his improvements, and declared that he should have compensation for them if he were in his holding. The tenant's property was just as sacred as that of any landlord in the country, and it rested quite as much on law, morality, and justice. The Resolution now before the House affirmed that it was necessary to give further protection to that property. A landlord went to his tenants and told them—"I will evict you, if you do not assent to what may, perhaps, be a small increase of rent." That had been done, in many instances where the increase of rent was entirely taken out of the

tenant's improvements, which the Land Act declared to belong to the tenant. If that could be established, was it not a case which called for a remedy? He would give the testimony of a man of large estate, who was universally respected, and who was allied with many of the first families in Ireland. Mr. Edward O'Brien, in a public letter to him (Mr. Butt), said that the Land Act as a security for the tenant's improvements totally broke down; that it provided no guarantees, direct or indirect, that rents should not be screwed up until the tenant was brought wholly to ruin, and the value of his improvements was taken from him by the landlord. It was not worth while for a tenant to enter into litigation with his landlord with reference to increased rent. Eviction was a weapon in the hands of a landlord which, if he chose, he could use unscrupulously, and Lord Carlingford, one of the framers of the Land Act, had said that this power of raising the rent to an unlimited extent was its weak point, though the instances of raising the rent might not be so frequent as Mr. O'Brien had stated. No amount of compensation that they could put into an Act of Parliament would protect a tenant against the terror of that weapon. The money given for compensation to a man driven from home and cast out upon the world was soon expended in the support of his family. Of this threat of eviction Mr. O'Brien told us the instances were not uncommon, and every man who knew Ireland told us the same. They could not pass lightly over the case of Mr. Buckley. His estate, when it was held by Lord Kingston, was a barren mountain. Under the Encumbered Estates Act it was bought for eight years' purchase. It came into the hands of an English company, who valued the rents and raised them. It was purchased from the company by a gentleman, of whom he did not wish to say a word of disrespect; but immediately after the purchase by him, the rents, which in the hands of the company, who were bound to make the most of the estate, were £4,000, were raised to nearly double that amount. In some cases the rents were raised from 100 to 150 per cent. He held in his hand the printed affidavits of the tenants, which had been proved in a court of justice. He could give numerous instances of a similar description. Some of the tenants who were settled were settled because they could not bear to leave the house where their fathers lived, nor could they bear to see their wives and families enter the poor-house. This Resolution raised the question whether they would allow the tenants who had reclaimed land on mountain sides to be robbed of their rights. In eight months no less than between 4,000 and 5,000 notices to quit had been served in Ireland; but they had not all been obeyed, because very many of the tenants had yielded to the demand for increased rent. Hon. Gentlemen talked of tenants feeling confidence, but when such a thing as was done by Mr. Buckley was heard of, the confidence of the whole country was shaken. He could bring forward a number of cases in which circulars had been issued to the tenants, calling on them, exactly the same as in the instance he had cited to submit to an increased rent, but he did not think he would detain the House by going through them. In former years—from 1847 to 1860—any one who could not find a tale of desolation as ruthless as ever swept over a land in 20 years of war, must have wilfully shut his eyes to what was passing. With regard to the Motion, he was authorized by the hon. Member for Tralee (the O'Donoghue) to say that he wished to withdraw his Motion in favour of the hon. Member for Kerry, so that the division would be whether there should be a Royal Commission or not. He knew something of the relations between landlord and tenant, and with all the responsibility of his position he could vouch for the necessity of an inquiry. Not an Irish newspaper but continually gave instances, and in a Court of Justice they were shown the miserable result. The oppression produced crime, crime its punishment, and again retaliation, and the miserable circle of oppression would never cease. He hoped there was no fear of agrarian crime in Ireland; but the fact of there being such an inquiry would give strength to the man who resisted temptation to join secret societies. It would strike down the arm of the would-be assassin, and save from crime. Oh, but he knew to what lengths some men, driven under the feeling of injury and hopelessness of redress, would go! So also the knowledge that their

conduct would be brought into the full blaze of a House of Commons inquiry would deter many an unscrupulous, griping landlord.

THE MARQUESS OF HARTINGTON said, that whatever opinion might be entertained as to the propriety of the proposed inquiry, he could not give a vote which would have the effect of submitting the proposition of the Member for Tralee (the O'Donoghue) as a substantive Motion to the consideration of the House. That Motion meant, in his opinion, valued rents, or it meant nothing at all; and a principle which involved valued rents, appeared to him to conflict altogether with the freedom of contract. He knew that it might be said that the Act itself conflicted—and no doubt it did, in certain particulars—with freedom of contract; but it only did so in the way of imposing certain restrictions upon that freedom in order to meet evils which had grown up out of an exceptional state of things. The Land Act was not intended to upset the ordinary relations between landlord and tenant; but no doubt hard cases occasionally arose in connection with its operation. He was not convinced, however, by anything he had heard that evening that the prosperity of Ireland would be advanced or improved by the adoption of an altogether new and untried system, instead of that which had been found to work, on the whole, in a satisfactory way. The proposal of an inquiry, however, contained in the Amendment of which Notice had been given by the hon. Member for Kerry (Mr. Herbert), appeared to find a considerable amount of favour among the Representatives of the landlord class. He, however, could be no party to the appointment of a Committee or Commission which would be of a "fishing" character, and which would go over Ireland to seek for charges against landlords which could not otherwise be found. Neither did he think it would be a sufficient ground for the appointment of a Commission, that certain landlords felt themselves aggrieved by allegations which had been made against them, and which they might feel to be without foundation. But, on the other hand, it might be remembered that the Act which was passed in 1870 was to a certain extent a new settlement of the land question in Ireland. It was founded in some measure upon experience; but it was also founded a good deal upon theory, and a good deal upon principles which had never before been tried. It would not be reasonable to suppose that such an Act would immediately work in a manner which would be perfectly smooth, and the time might shortly come—if it had not already come—when an inquiry into the operation of the Act might possibly be attended with advantage. He should be averse to an inquiry, if it were supposed by the people of Ireland that it was intended to be a prelude to legislation on new principles, for the purpose of establishing fixity of tenure and the valuation of rents; but an inquiry into the operation of the Act with a view of seeing how far its objects had been obtained, and whether in its details it was not capable of amendment, might be desirable. Without pledging himself to say that the present was the proper time for such an inquiry, he should be sorry to see the wishes of landlords and others who desired inquiry altogether neglected. As the two proposals came as an Amendment to the Motion that the Speaker do leave the Chair, and as it would be impossible to say who among those who voted against that Motion voted for the one or the other of the Amendments, it would be necessary for him to vote for the Motion that the Speaker do leave the Chair.

SIR MICHAEL HICKS-BEACH reminded the House that the question before it was the Motion of the hon. Member for Tralee. He was surprised at the observations of the noble Lord opposite with respect to the general working of the Land Act. He had always supposed that the Land Act was one of the great efforts in legislation of the late Government, that it was considered by them with the utmost possible care, and carried through both Houses of Parliament as a settlement of that great question. If that were the case, it was certainly somewhat strange to hear the noble Lord, six years after the passing of that Act, state that in his opinion the time, perhaps, had already arrived when a fresh inquiry into the whole subject might be necessary; and, in fact, that this great Land Act was no settlement at all. The hon. and learned Member for Limerick (Mr. Butt) had rested his argument in support of the Amendment of the hon. Member for Tralee

almost wholly on the case of Mr. Buckley; but he (Sir Michael Hicks-Beach) deprecated the introduction into the debate of such cases, unless the circumstances could be fully discussed upon both sides. He desired to point out to the House that Mr. Buckley's case was still *sub judice*. A series of statements appeared in the public Press in Ireland, written by Mr. Casey, which imputed to Mr. Bridge very much what had been imputed in the House that night. A criminal information was obtained, it was argued, and it now stood for trial before the Courts. No one knew better the circumstances of the case than did the hon. and learned Member for Limerick, who was professionally engaged in it, and he (Sir Michael Hicks-Beach) did not think it was right to bring a matter of this kind before the House in a one-sided way, without giving Notice of an intention to do so.

MR. M'CARTHY DOWNING gave Notice of his intention to call the attention of the House to the question alluded to by the right hon. Baronet the Chief Secretary for Ireland, and said he was perfectly prepared to substantiate what he had stated.

MR. A. MOORE said, he had addressed public meetings on this subject, and stated openly that he was prepared to prove that the greatest tyranny had existed.

Question put.

The House *divided*:—Ayes 189; Noes 65: Majority 124.—(Div. List, No. 96.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, *withdrawn*.

Committee *deferred* till *Monday* next.

House adjourned at a quarter before Two o'clock till Monday next.

HOUSE OF LORDS,

Monday, 30th April, 1877.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Judicial Proceedings (Rating) * (37); Elementary Education Provisional Order Confirmation (London) * [48]; Elementary Education Provisional Orders Confirmation (Cardiff, &c.) * (50); Metropolis Toll Bridges * (45).

BURIAL ACTS CONSOLIDATION BILL.

NOTICE OF AMENDMENT.

EARL GRANVILLE: My Lords, I beg to give Notice that in Committee on the Burials Bill I will move an Amendment on the 74th clause, and also move to add two clauses embodying the Resolution which was matter of discussion on the second reading. The words of my Amendment to the 74th clause and of the two clauses I will lay before your Lordships on another evening. I may observe that the Committee is put down for Ascension Day, and as that is a day on which your Lordships do not sit, I do not know whether there is any significance in the circumstance.

THE EARL OF CARNARVON said, that the putting down of the Committee for Ascension Day must have been an oversight. He would bring it under the notice of his noble Friend the Lord President, who had charge of the Bill, but was not then in his place.

RUSSIA AND TURKEY—THE WAR—PROCLAMATION OF NEUTRALITY.

QUESTION.

EARL GRANVILLE: I gave my noble Friend (the Earl of Derby) private Notice of a Question which I should not put in his absence, only I have no doubt the noble Earl the Secretary for the Colonies will be able to answer it. The Question is, Whether Her Majesty's Government will issue a Proclamation of Neutrality now that hostilities have broken out between Russia and Turkey?

THE EARL OF CARNARNON: In the absence of my noble Friend the Secretary for Foreign Affairs, who is at Windsor, I have to inform your Lordships that the Government will issue a Proclamation of Neutrality, and that probably it will be issued within the next few hours.

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 30*th April*, 1877.

MINUTES.] — SELECT COMMITTEE — Thames Floods Prevention, *nominated*.
PUBLIC BILLS — *Ordered* — *First Reading* — New Forest * [150].
First Reading—Exoneration of Charges * [151]; Contingent Remainders * [152].
Second Reading—Summary Jurisdiction Amendment * [137].
Committee—Universities of Oxford and Cambridge (*re-comm.*) [113]—R.P.

QUESTIONS.

RUSSIA AND TURKEY—THE EASTERN QUESTION.

MR. GLADSTONE'S RESOLUTIONS.

MR. GLADSTONE: Sir, it may be for the convenience of the House that I should read aloud the Resolutions I intend to propose on going into Committee of Supply on Friday next. There are five of them in all, and I proceed by way of Resolution in order to give Her Majesty's Government and private Members the greatest opportunity and facilities for dealing with the various points of the case, either separately or conjointly, as they may please. The Resolutions are as follow:—

"1. That this House finds just cause of dissatisfaction and complaint in the conduct of the Ottoman Porte with regard to the Despatch written by the Earl of Derby on the 21st day of September, 1876, and relating to the massacres in Bulgaria.

"2. That, until such conduct shall have been essentially changed, and guarantees on behalf of the subject populations other than the promises or ostensible measures of the Porte shall have been provided, that Government will be deemed by this House to have lost all claim to receive either the material or the moral support of the British Crown."

"3. That, in the midst of the complications which exist and the war which has actually begun, this House earnestly desires the influence of the British Crown in the Counsels of Europe to be employed with a view to the early and effectual development of local liberty and practical self-government in the disturbed Provinces of Turkey, by putting an end to the oppression which they now suffer, without the imposition upon them of any other Foreign Dominion.

"4. That, bearing in mind the wise and honourable policy of this Country in the Protocol of April 1826, and the Treaty of July 1827, with respect to Greece, this House furthermore earnestly desires that the influence of the British Crown may be addressed to promoting the concert of the European Powers in exacting from the Ottoman Porte, by their united authority, such changes in the Government of Turkey as they may deem to be necessary for the purposes of humanity and justice, for effectual defence against intrigue, and for the peace of the world."

The fifth Resolution simply combines the others in the form of an Address, and is as follows:—

"5. That an humble Address, setting forth the prayer of this House according to the tenour of the foregoing Resolutions, be prepared and presented to Her Majesty."

I may, perhaps, be permitted by the indulgence of the House to say one word in regard to the time and manner of bringing forward the Motion, as it may conduce to greater convenience. As I make this Motion on my own responsibility, and not as the organ of any Party or section of a Party in this House, I have adopted the means open to me, which reduce themselves, in fact, to placing the Notice on the Paper as an Amendment on going into Committee of Supply. At the same time, if I may presume to say so, I feel that it is desirable that every possible facility should be afforded for discussion and for the proposal of Amendments on a Motion of this character; and if through the kindness of hon. Members or of this House or of Her Majesty's Government I am able to propose it on Friday as a substantive Resolution, and not as an Amendment on going into Committee of Supply, or on some later day than Friday—although I hope an early day—I shall gladly and thankfully accept such an arrangement.

THE CHANCELLOR OF THE EXCHEQUER: Perhaps, Sir, I may be allowed to say, with reference to the concluding observations of the right hon. Gentleman, that Her Majesty's Government will be perfectly prepared to place Monday at his disposal.

MR. GLADSTONE: It would be with an ill grace if I hesitated for a moment to accept that arrangement, and I accept it, as I said before, with thankfulness.

SIR JOHN LUBBOCK: I beg to give Notice that I shall move the Previous Question when the right hon. Gentleman's Resolutions are put from the Chair.

LONDONDERRY LUNATIC ASYLUM.

QUESTION.

MR. RICHARD SMYTH asked the Chief Secretary for Ireland, Whether, in consequence of the action recently taken by the Board of Governors of the District Lunatic Asylum of Londonderry and by the Board of Guardians of that Union, the Lord Lieutenant will withhold his sanction for the erection of a new asylum for the city and county of Londonderry?

SIR MICHAEL HICKS-BEACH: The Board of Governors of the District Lunatic Asylum of Londonderry proposed some little time ago to erect a new asylum, their existing asylum being very much overcrowded. They have, however, lately rescinded that decision, and the Lord Lieutenant does not at present propose to recommend to the Privy Council to sanction the erection of a new asylum for Derry, but to inquire whether the present asylum might not be enlarged.

ARMY—MILITIA ADJUTANTS.

QUESTION.

VISCOUNT EMLYN asked the Secretary of State for War, Whether the adjutants of five Militia regiments have been refused the increase of pay granted to all other adjutants of Militia under the Royal Warrant of the 20th day of November 1875, upon the ground that they are in receipt of half pay from the Marine Artillery; and, whether such half pay is not retired pay, and practically pension for past services; and if under the circumstances, he will take steps to place these officers in the same position as other adjutants of Militia, or allow them to retire upon similar terms to those offered under Royal Warrant of the 25th day of March 1875?

MR. GATHORNE HARDY, in reply, said, it was not his intention to make any change in regard to the increase of pay to Adjutants of Militia.

NAVY—CASE OF MR. JOHN CLARE.

QUESTION.

MR. BIGGAR asked the Secretary of State for the Home Department, If he has any objection to lay upon the Table of the House the Petition of Mr. John Clare, the inventor, patentee, designer, promoter, and upholder of the metal shipbuilding of the State Navy (*vide* records of the Admiralty since 1853), and the plaintiff in Clare *v.* The Queen, forwarded by him 17th June 1863, addressed to Her Most Gracious Majesty the Queen, with the affidavits of John Morrison, iron shipbuilder, and John Clare; also the letter

"requesting the Home Department to advise what Department of the State would initiate criminal proceedings against the Admiralty witnesses for perjury in Clare *v.* The Queen;"

and the opinion given by the Law Officers of the Crown?

SIR HENRY SELWIN-IBBETSON, in reply, said, the Petition alluded to was sent in 1861, and the case tried in 1863, before Chief Justice Cockburn, in the Queen's Bench. In that year a motion was made for a new trial, and refused. In April, 1864, an appeal followed, when the judgment of the Court below was confirmed. It was not the custom to produce the opinions of the Law Officers of the Crown, and he must, therefore, decline to do so.

RUSSIA AND TURKEY—THE WAR—EGYPT.—QUESTIONS.

SIR GEORGE CAMPBELL asked the Under Secretary of State for Foreign Affairs, If he can give the House any information as to the course which Egypt is following or is likely to follow in the present war, and as to the position in which that country will be placed if she engages in active hostilities with a great European Power?

MR. BOURKE: Sir, with every disposition to answer the hon. Member for Kirkcaldy as fully and as accurately as possible, I am afraid I am unable to give a decided and accurate Answer at once to some of the Questions he has put on the Paper. The first Question is "whether I can give the House any information as to the course which Egypt is following or is likely to follow in the present war?" I am afraid I can hardly give an Answer to that Question. With regard to the second Question, "as to the position in which that country will be placed if she engages in active hostilities with a great European Power," I am afraid I cannot answer that Question either. The hon. Gentleman does not say to what Power he alludes, and, if he did, it would not be safe to say what

might be the prospective circumstances and consequences of going into war. At the same time, I am quite aware that, as he says, a great deal of interest is felt in this question out-of-doors, and I shall be happy to tell the House what we know. We have heard that the Khedive has been asked by the Porte to send further assistance, and he has promised to send such assistance as he properly can. He has also, I believe, appointed his son, Prince Hassan, to command the contingent which may be despatched from Egypt. At the same time, the Khedive has promised that none of the revenues pledged to Egyptian creditors shall be touched, and that he has the means of fulfilling all his engagements in regard to those creditors. Therefore, the assistance which the Khedive may send to the Porte will depend upon the amount of voluntary contributions which he can obtain from his subjects.

MR. GLADSTONE: Growing out of that interesting Answer, may I put a Question to the hon. Gentleman? He spoke simply of the monies due to Egyptian creditors. There is a very interesting question relating to the Turkish Loan of 1854, the payment of which is dependent upon remittances from Egypt. Is the hon. Gentleman in a position to tell me whether the intention of the Khedive to continue to make these remittances is included in what he said with reference to the fulfilment of his money engagements?

MR. BOURKE: I hope the House will excuse me if I am a little cautious in answering Questions of this kind which are put without Notice. I can only say that we have received a general statement on the part of the Khedive which I have given to the House, and I have no reason for a moment to believe that there is any alteration in the intention of the Khedive on the subject to which the right hon. Gentleman has referred.

IRELAND—POST OFFICE (TELEGRAPH DEPARTMENT)—TELEGRAPH OFFICE IN BRUREE.—QUESTION.

MR. O'SULLIVAN asked the Postmaster General, If it is true that telegraph wires pass through the town of Bruree, in the county Limerick; and, if so, why it is that a telegraphic station has not yet been opened there, notwithstanding that it contains a money order office and is a petty sessions district, containing a population of over four thousand four hundred?

LORD JOHN MANNERS: It is true, Sir, that a telegraph wire passes through the town of Bruree; but no telegraph office had been opened there, as the amount of business likely to accrue would not warrant the expense.

THE POLICE AND THE TRANSFER OF LICENCES.—QUESTION.

CAPTAIN PIM asked the Secretary of State for the Home Department, If it is true, as reported at the last Quarter Sessions for the county of Middlesex on the 26th instant, that the Commissioners of the Metropolitan Police have issued instructions forbidding the police to give to the justices at Petty Sessions any information as to the character of persons applying for transfers of licences, and the conduct of the houses for which such application is made?

SIR HENRY SELWIN-IBBETSON, in reply, said, that to avoid information being given by the police on their own authority, without being sufficiently authenticated, instructions had been issued by the Commissioners of Police directing that in all cases of the transfer of licences the police should give to the Justices at Petty Sessions any information in their power as to the character and past history of persons applying for transfers, and the conduct of the houses for which such application was made, and that that information should be ready and available for the magistrates' use on the day when the cases come on, the policeman being present to verify the statement, and therefore to make it evidence on oath, instead of, as at present, evidence not properly authenticated.

RUSSIA AND TURKEY—THE WAR—PROCLAMATION OF NEUTRALITY. QUESTION.

THE MARQUESS OF HARTINGTON: With the permission of the right hon. Gentleman the Chancellor of the Exchequer, I have slightly altered the form of my Question in order more strictly to explain my object in putting it. The Question I have to ask the right hon. Gentleman is, Whether, in view of the hostilities between Russia and Turkey,

and the effect which a war between those Powers must exercise upon the maritime and commercial interests of England, it is the intention of Her Majesty's Government to issue the accustomed proclamation of neutrality warning the subjects of the Queen of the penalties they will incur under the statute for the preservation of neutrality by any participation in such hostilities, and of their liability under the law of nations towards the belligerent Powers?

THE CHANCELLOR OF THE EXCHEQUER: Yes, Sir, it is the intention of Her Majesty's Government to issue a Proclamation of the accustomed character. Indeed, I may say, that such a Proclamation was settled last week—the draft of it; and it has been submitted to Her Majesty in Council at Windsor today, and, if received from Windsor in time, it will probably be published in an extraordinary *Gazette* this evening.

NAVY—ADMIRAL HOBART PASHA.

QUESTION.

CAPTAIN PIM asked the First Lord of the Admiralty, Whether, as Hobart Pasha is a retired officer of the Navy, and cannot again be employed, and as retired pay has been earned for past services in the Navy, and cannot be legally withheld from any naval or marine officer when once placed on the retired list, even if in the service of a foreign government, as laid down by the law officers of the late Government, Sir John Coleridge and Sir George Jessell, he will be good enough to inform the House by what right or power Hobart Pasha, or any other officer, being no longer subject to the Naval Discipline Act, can be interfered with by the Admiralty; and, whether he has any objection to lay on the Table of the House the copy of such opinion, as well as the letter sent by the Admiralty to the Accountant General of the Navy, dated 13th of February, 1873, in continuation of the Parliamentary Paper of the 17th of March, 1876—"Navy officers holding civil appointments?"

MR. A. F. EGERTON: In the unavoidable absence of my right hon. Friend the First Lord of the Admiralty, perhaps the hon. Member will allow me to answer this Question. I have first to say that, in my opinion, the Question is somewhat irregular, being of an argumentative nature; but without entering into any argument upon it, it is sufficient to state that the Admiralty can recall into active service in case of war or emergency any officer on the retired or half-pay list, and has also power to remove from the list of the Royal Navy any officer whatever, whether on full, half-pay, or the retired list, and this without reason assigned. The opinion of the Law Officers of the Crown to which the hon. Member refers is immaterial to the question, and it could not, without breaking an invariable Rule, be laid on the Table of the House.

RUSSIA AND TURKEY—THE WAR—NEUTRAL INTERESTS.—QUESTIONS.

SIR WILLIAM HARCOURT asked the Under Secretary of State for Foreign Affairs a Question of which he had given him private Notice, Whether he has any information with reference to the regulations issued by the belligerent Powers which may affect the interests and the maritime commerce of England; and, if so, if he can lay it on the Table of the House?

MR. BOURKE: Sir, on hearing that the Russian military authorities intended to stop the navigation of the Danube, Her Majesty's Government directed Her Majesty's Consul at Galatz to telegraph any regulations that might be issued. He has replied that no regulations have been issued, but that all ships were to leave on the 28th, and that Galatz is clear. The British Vice Consul at Sulina telegraphed yesterday that the Russians were at Isotatika and had stopped all navigation upwards without giving notice, and had begun laying torpedoes in the river. No blockade of the Black Sea has yet been proclaimed; but the Turkish Minister for Foreign Affairs has informed Her Majesty's Ambassador that a declaration with reference to the blockade of the Black Sea and the rights of neutrals will be immediately published. He has advised also that vessels should not attempt to proceed to Galatz, which is now the seat of war, or to Nicolaieff, or other Russian ports. As to the Bosphorus, Mr. Layard has received notice from the Porte—first, that the Dardanelles and Bosphorus are closed, both for entrance and exit, to all steam and sailing vessels from sunset to sunrise; secondly, the lighthouses in

these straits, with the exception of the two great lighthouses at the entrance to the Bosphorus in the Black Sea and the two lighthouses of Sedal Bahr and Kolm Kaleh at the Dardanelles, will be extinguished. These may be extinguished by the military authorities. Thirdly, firing of guns and cannons in foggy weather, or an alarm signal is absolutely forbidden. That is all the information we have upon the subject, either with regard to the Danube, the Bosphorus, the Dardanelles, or the Black Sea.

SIR CHARLES W. DILKE: I wish to ask the Under Secretary for Foreign Affairs, Whether it is not the fact that there are a large number of Egyptian troops already on the Danube?

MR. BOURKE: I believe that is the case.

THE ECCLESIASTICAL DILAPIDATIONS ACT.—QUESTION.

MR. MONK asked the Secretary of State for the Home Department, Whether he can now state when he proposes to bring in a Bill to amend the Ecclesiastical Dilapidations Act?

SIR HENRY SELWIN-IBBETSON, in reply, said, he was not able to state when the Bill would be brought in. It was under the consideration of the Government, and would be laid upon the Table as soon as the state of Public Business would allow.

THE CATTLE PLAGUE.—QUESTION.

MR. MARK STEWART asked the Vice President of the Council, Whether, considering the great dread with which the agricultural interest regard the present outbreak of cattle plague in this Country, the Government will be prepared to give an early day for the discussion of that subject?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that, as the Question related to the general Business of the House, he might be permitted to say he regretted that in the present aspect of the Business of the House he could not manage to find a day for the discussion of the subject referred to, of which they admitted the importance, and which they were desirous of dealing with as quickly as possible by the appointment of a Select Committee. Some difficulties had been raised by hon. Members in different parts of the House with respect to the composition of the Committee, which had delayed its appointment, but he earnestly hoped that the Committee might be nominated as soon as possible, but he was not able to name any early day for a discussion of the subject.

COAL MINES—TYLDESLEY COLLIERY. QUESTION.

LORD LINDSAY asked the Secretary of State for the Home Department, Whether his attention has been drawn to a report in the newspapers that, owing to an explosion of gas in a colliery near Tyldesley belonging to Mr. Fletcher, a man has lost his life; and, as it was but a short time since an explosion occurred in the same pit, if he will cause a searching inquiry to be instituted in order that the real cause may be ascertained?

SIR HENRY SELWIN-IBBETSON (for the Secretary of State for the Home Department) said, that the attention of his right hon. Friend had been called to the sad occurrence in question, and that a searching inquiry had been ordered into the whole facts of the case, and the Home Secretary had directed a legal gentleman to attend the inquest to ascertain the facts.

ELEMENTARY EDUCATION. QUESTION.

In reply to MR. KAY-SHUTTLEWORTH,

MR. A. MILLS said, that since he had placed his Notice on the Paper the hon. Member for Maidstone had placed a Notice on going into Supply on the Education Estimates, raising the same issue he did not think it desirable to trouble the House with two discussions upon it, and, therefore, should not proceed with his Motion to-morrow.

PARLIAMENT — THE SALFORD ELECTION.—EXPLANATION.

MR. GLADSTONE: I wish, with the indulgence of the House, to give an explanation in prosecution of the matter which was opened by the right hon. Gentleman the Chief Secretary for Ireland the other day. It does not involve any charge on any one, but merely exculpates some persons outside the House. The

right hon. Gentleman was under the impression, which was not unnatural, that a fraudulent use had been made of a letter of mine. I am, however, assured from Salford that no such fraudulent use was made of the letter. The letter was written on the 30th of March, and the death of the hon. Member for Salford (Mr. Cawley) which brought about the election occurred on the 2nd of April. The letter, unfortunately, was delivered at a place from which the club or society to which it was addressed had been removed, and was never discovered until the 17th of April, when they were in the thick of the election. At a meeting on the 17th a large extract was quoted from it, and on the 18th the letter was published in a Manchester paper, I think *The Manchester Examiner*—together with the date—*in extenso*, so that there could be no misunderstanding about the date at which it was written; and how it came into the London newspapers without the date I have no means of knowing. The right hon. Gentleman, therefore, will see that there was no fraudulent use made of the letter whatever, and no ground for a charge against any persons in the place.

ORDERS OF THE DAY.

UNIVERSITIES OF OXFORD AND CAMBRIDGE BILL—[Bill 113.]

(*Mr. Gathorne Hardy, Mr. Assheton Cross, Mr. Walpole.*)

COMMITTEE. [*Progress 26th April.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 6 (Vacancies among Commissioners).

Lord EDMOND FITZMAURICE moved, in page 3, after line 23, insert—

"Provided, That the name of every person so appointed shall be laid before the Houses of Parliament within ten days after the appointment, if Parliament is then sitting, or, if not, then ten days after the next meeting of Parliament, and if within forty days after any such name has been laid before them either House by Resolution disallows the appointment, it shall be of no effect, but without prejudice to the validity of anything done thereunder."

Mr. GATHORNE HARDY could not accept the Amendment, because the appointment would be an executive act of the Crown, and the proper mode was to move an Address to the Crown. He could not consent to establish a precedent to appeal to the House of Commons against an executive act of the Crown.

Mr. GOSCHEN pointed out that if a Commissioner should die or resign, the balance of the Commission might be disturbed by the fresh appointment, and Parliament would lose the small amount of control they had got at the present moment. He would recommend that no new appointments should be made until the number of Commissioners was reduced to six or five.

Mr. GATHORNE HARDY said, he had no objection to lay the names of the Commissioners before Parliament whenever new appointments were made.

Sir WILLIAM HARCOURT suggested that the object of the noble Lord would be met if he omitted the latter part of his Amendment.

Mr. GATHORNE HARDY said, he would accept that modification.

Amendment, as amended, *agreed to.*

Clause *agreed to.*

Clause 7 (Duration of Commission) *agreed to.*

Clause 8 (Chairman and meetings of Commissioners).

Mr. HAYTER moved, in page 3, line 32, to leave out from beginning of clause to "meeting," in line 36, with the object of giving the Commissioners the power of electing their own Chairman.

Mr. GATHORNE HARDY said, he could not accept the Amendment. He preferred that there should be a permanent Chairman, otherwise there would be a fresh election to the office every week. It was desirable that there should be one Chairman as head of the Commissioners with whom communication could be held; but, of course, at any meeting when the Chairman was absent the Commissioners would elect the Chairman for the day.

Mr. MONK suggested that the Commissioners should have the power to elect at their first meeting a Chairman who should preside at all subsequent meetings.

Amendment *negatived.*

Clause *agreed to.*

Clauses 9 and 10 *agreed to.*

Clause 11 (Powers of University and Colleges to make statutes).

MR. GOSCHEN moved, in page 4, after line 20, to add the following proviso:—

"That the Commissioners shall not approve the statute so made by a College until they have published, in such form as to them may seem fit, a statement with respect to the main purposes relative to the University for which, in their opinion, provision should be made under this Act, the sources from which funds for those purposes should be obtained, and the principles on which contributions from the Colleges for those purposes should be assessed."

Under the clause it was reserved to every College to send in a scheme of reform, and the University itself was also to be allowed to send in a scheme of reform to the Commissioners. One of the main objects of the Bill was that the Colleges should contribute from their surplus revenues to the requirements of the University. What appeared to him the first step which the Commissioners, acting on behalf of the University, would have to take would be to arrive at some kind of plan as to what the total requirements of the University would be, and then, when they had arrived at such plan, to assess the Colleges in proportion to their revenues. The clause, as it stood, was almost nugatory, as practically the Commission would not be able to give its assent until it had the claims of all the Colleges before it, and it was merely in appearance that this invitation was issued to the Colleges. The Universities ought to know the total requirements for which provision would have to be made, and then the College revenues ought to be examined to ascertain the contribution required from each. There ought to be a financial scheme in the first instance. He wished that the principles of the reform should be stated. He struck at no principle of the Bill; it was a mere matter of convenience. There ought to be some uniformity in dealing with the Colleges.

MR. BALFOUR said, that the Amendment of which he had given Notice was in the form of an additional clause; the Amendment of the right hon. Gentleman opposite should have enabled the Commissioners to have settled some form of action at the commencement of their labours. One thing was in his (Mr. Balfour's) Amendment, but not in that of the right hon. Gentleman. If the clause that he had proposed was carried the Commissioners of each University would have to consult those of the other; if not, there might arise a general difference in the result of their action, especially with reference to the prize Fellowships.

MR. OSBORNE MORGAN said, that one great fault of the Bill was, that it contained no guiding principle for the Commissioners at all, and the Amendment supplied one. How could the Commissioners know what was to be paid by one without knowing the revenues of the rest?

MR. GATHORNE HARDY said, that, as he had explained last year, his object was to deal with the Universities and Colleges as a whole, and not individually; and he thought the concluding words of the clause carried out that condition, so that virtually the clause embodied the principle of the Amendment proposed by the right hon. Gentleman. There were many Amendments, and they could hardly tell how they would come out, and he would be obliged, therefore, if the right hon. Gentleman would postpone this discussion. In the meantime, he would consider the question with the draftsman, and endeavour to put the matter in such a shape as would be acceptable to the Committee. If, when the Bill passed through Committee, there should appear any doubt upon the point, he would on the Report, be ready to propose another clause in the spirit of the Amendment, which he hoped the right hon. Gentleman would now withdraw, as the agreeing to it at the present moment might create some embarrassment when they came to deal with the 17th clause.

MR. J. G. TALBOT said, that the principle upon which he proceeded was confidence in the Commissioners appointed. If the Amendment were carried, it would tie the hands of the Commissioners; he desired to leave them as far as possible unfettered.

MR. BERESFORD HOPE said, that this clause gave permission to the Colleges to propose their schemes up to the end of 1878, which would be less than a year and a-half, according to the probabilities of the Royal Assent; and if the Amendment of the right hon. Gentleman were carried, it would cause great delay. The Commissioners might dawdle over

the improvements as the Judges did over the Judicature Act alterations.

MR. GOSCHEN disclaimed any wish to tie the hands of the Commissioners. He was sorry that the hon. Gentleman the Member for Cambridge University had so little confidence in the Commissioners. He was willing to accept the suggestion of the right hon. Gentleman to withdraw his Amendment if its principle were embodied in the Bill.

MR. MOWBRAY observed that some Colleges had schemes waiting for sanction, and it would be undesirable that through any provision in that Bill those schemes should be indefinitely adjourned.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 12 (Power of Commissioners to make Statutes for University and Colleges) *agreed to.*

Clause 13 (Limitation of fifty years).

SIR CHARLES W. DILKE (in the absence of Mr. COURTNEY) moved in page 4, line 40, to leave out "unless" and insert "when." He said: I prefer my own proposal, to leave this clause out altogether, but for the moment I will confine myself to supporting the proposal that is before the House to modify it. It is generally believed among those who have not looked very deeply into the question, that this 50 years' limitation clause is intended only to exempt Keble College and Hertford College from the operation of the Bill. The real facts are very different. Keble College does not come under the Bill in any way, and this clause applies to a great number of emoluments which have nothing to do with those two Colleges, and most of which were not founded by private founders, but by the Colleges or Universities themselves. In other words, as the clause stands, the limitation affects not only the pious founder who is dead, but also the University and the College which are alive, and which in many cases have discovered the need for those changes which the clause forbids the Commissioners to make. The excuse of respect for the founder's intentions does not apply. The clause, for instance, exempts from the operations of the Commission most of the Regius Professorships in the University of Cambridge, for the conditions of the tenure of these ancient offices have been completely changed by modern instruments. I need hardly point out to the House that the clause also applies, directly and without any kind of doubt, to Professorships that are altogether modern—such, for instance, as that held by my hon. and learned Friend the Member for Oxford (Sir William Harcourt.) There are a great many new Professorships, founded since 1854, which, as I read this clause, are most improperly exempted from the operation of the Commission. In the University of Oxford I am told that the clause would withdraw from the ken of the Commissioners those All Souls' Professorships which many think a great abuse. Why should these Professorships be exempted, not only from the operation of any reforms which may be introduced, but from the very supervision of the Bodies which by the Bill we create? One of the All Souls' Professors, the Chichele Professor, Mr. Montague Burrows, who was elected to this reformed Chair of History over the heads of Mr. Froude and Mr. Freeman for no reason that anyone could discover, except that he was the leading Conservative agent in the management of the University, gets, I understand, £1,500 a-year under a deed sufficiently modern to be exempted by this clause from the provisions of the Bill. It would seem wise that the Commissioners should at least possess the power to examine into the conditions of tenure of such modern emoluments as these. I cannot conceive that the clause can be left as it now stands. It is a most mischievous clause. It makes impossible consistent and comprehensive action by the Commissioners, and will probably lead the Commissioners to leave a large side of the University system altogether untouched, rather than deal with it so lightly as this clause compels. The clause exempts from the powers of the Commission in the University of Cambridge many Scholarships, all the minor Scholarships and Exhibitions, and 11 Professorships. If the Commissioners wished to alter the mode of election to Professorships, the old method of election would have to be retained for the 11 Professorships which have been founded within 50 years. This matter is one of practical and of pressing importance. It is now being discussed at Cambridge

by a Syndicate, which has reported in favour of Electoral Boards; and the reform which has been proposed cannot be carried out by the Commission because of the obstacle which this clause imposes. The effect of it will be, that the Commissioners, finding themselves unable to deal with all the Professorships, will decline to deal with any. If we leave Professorships for a moment and consider minor Scholarships or Exhibitions, we must remember that most people, both at Cambridge and at the larger schools, are dissatisfied with the Minor Scholarship system, which drives schoolmasters to adopt a hot-bed process of training. It is, perhaps, impossible to altogether rid the Universities and the schools of the present system of buying scholars with Exhibitions; but it would at least appear to be a pity to tie the hands of the Commissioners; and it must be borne in mind that the clause will tie the hands of the College authorities, as well as of the Commissioners, since, by Clause 11, the Colleges have only "the like powers as are conferred on the Commissioners." To leave modern emoluments created by the Universities and the Colleges, and to come for a moment to those comparatively rare cases in which there is a private founder, it is a poor compliment to the pious founder to say that he would not wish the University and the Commissioners to make the best possible use of his gift. To maintain this clause as it stands, is not only to contend that the founder knew better what was best for posterity than posterity itself, but also to contend that the University 40 years ago knew better what would be best for the University now than does the University of the present day, and than do the Commissioners whom by this Bill we appoint. Why should you limit and tie up the Commissioners by this restriction? It has been said that it was introduced in deference to the wishes of a deputation of Cambridge Liberals, but that is a monstrous mis-statement. They suggested 50 years as preferable to 100 years—that is all. The 100 years' limitation, which had been proposed by Lord Salisbury, would have withdrawn Downing College from the ken of the Commission: the clause as it stands would withdraw Hertford College, Oxford from its ken, and I have authority to say that the Cambridge Liberals who objected to Downing College being thus withdrawn from the inquiry, object equally to Hertford College being withdrawn from it as is still proposed. The clause, moreover, is full of legal difficulties, upon which I hope that we may have the opinion of the ablest lawyers in the House. Almost all College property at Oxford, including both corporate property and trust property, was dealt with by ordinances made under the Act of 1854. Old Fellowships, Scholarships, and Exhibitions were suppressed, and new ones were founded and endowed out of the proceeds of that suppression. In many of these cases it would be difficult to contend that the ordinance itself was not "the instrument of foundation or endowment." But, if so, the "emolument" would be withdrawn from the jurisdiction of the Commissioners. The Bill contains no definition of "instrument of endowment," though it does contain a definition of "instrument of foundation." As I read the clause, the Commissioners not only cannot touch the object or purpose of the emolument, but cannot even reform the conditions of tenure, or the mode of appointment or election. The distinct prohibition of this clause must override all the enabling provisions of the Bill. If the clause is retained, the Commissioners will run the risk at every minute that they sit of acting *ultra vires*, and will be hampered by every kind of legal difficulty. The Act of 1854 contained no such limitation with respect to College endowments; although it did with respect to University endowments. I would ask the Conservative Members of this House, whether they may not with safety negative this clause, and trust to the Conservative instincts of Lord Selborne, Lord Redesdale, and Dr. Bellamy; of the Bishop of Worcester, Dr. Lightfoot, and Professor Stokes?

MR. GATHORNE HARDY said, he did not accept the hon. Baronet's interpretation of the clause. In order to prevent ambiguity, however, he would, if it appeared legally necessary, so word the clause as to make it refer only to University or College emoluments under 50 years' standing; not to new emoluments derived from old foundations, though they had been diverted to other than their original uses.

MR. KNATCHBULL-HUGESSEN thought it was undesirable to fetter the

discretion of the Commissioners with respect to the date of the endowments with which they might deal. He pointed out that as the clause stood, an endowment which had been given long before the limit of 50 years, but which had been recently increased, would be put out of the power of the Commissioners.

MR. BRISTOWE considered that the Commissioners, if restricted from dealing with the funds of Colleges as far as recent endowments were concerned, would not be able to touch their real financial condition.

MR. STAVELEY HILL hoped it would be made very clear that endowments established within the last 50 years should not be touched by the Commissioners.

MR. SPENCER STANHOPE hoped that the hon. Member for Chelsea would withdraw the Amendment.

SIR CHARLES W. DILKE thought they might trust the Conservative instincts of the Commissioners without tying up their hands.

MR. GATHORNE HARDY said, what he wished was that the clause should be left in the Bill, but on the Report, if needful, he would make it quite clear what was meant by it.

MR. GOSCHEN pointed out that the words used were "instrument of endowment," and that this might apply to arrangements made under the Act of 1854. He urged that the clause should be postponed until the Government Amendments should be put on the Paper.

MR. NEWDEGATE said, he was glad that the term "endowment" was used instead of "foundation" in the Bill.

MR. COURTNEY was disposed to respect the limit of 50 years where money had been actually brought into the University. He was ready to withdraw the Amendment.

MR. LOWE put it to the right hon. Gentleman whether it would not be better to postpone the clause.

MR. GATHORNE HARDY said, he must take a vote upon the principle of the clause; he would settle the details, if it should be deemed necessary, on the Report.

Amendment, by leave, *withdrawn*.

On Question, "That the clause stand part of the Bill?"

SIR CHARLES W. DILKE, on moving the omission of the clause, said, it was somewhat hard to discover the exact meaning of the clause, and what would be its exact effect, if passed; but if his view of it was correct, the clause proposed to effect an act of flagrant injustice, by permitting newly-made corporations, which had obtained full University privileges, and which had been allowed to stand upon an equal footing with older foundations, to escape the burdens imposed by this Bill on the older foundations, whilst retaining all the advantages which accrued to them as States of the University Federation. The clause also appeared to him to allow action on the part of the Commissioners in direct contravention of the principles laid down in the Preamble of the Bill, which stated that the object of the Bill was to enrich the Universities from the overplus of College revenues; for this clause, taken in connection with the rest of the Bill, allowed the Commissioners to apply the revenues of the older foundations to the increase of the emoluments attached to those more recently created. This intention was clearly indicated by the three last lines of the clause. It should be distinctly understood that under them there was power, and power which he had reason to fear would be exercised, to take money from the older foundations and to give it to Ecclesiastical Seminaries.

LORD FRANCIS HERVEY said, he did not see on what ground of justice or expediency the clause could be legitimately resisted. He hoped the hon. Baronet would not put the Committee to the trouble of dividing.

Question put, "That Clause 13 stand part of the Bill."

The Committee *divided*:—Ayes 234; Noes 134: Majority 100.—(Div. List, No. 97.)

Clause 14 (Regard to main design of founder).

MR. OSBORNE MORGAN moved to omit the clause altogether, taking exception to some of the phrases contained in it, which he thought would make the fortune of lawyers. What, for instance, was meant by "the main intention of the Founder," and how

could that intention be carried out in the case of a pre-Reformation Founder? Then, again, what meaning would a lawyer attach to such a phrase as "alteration in substance?" He remembered a Vice Chancellor saying that the word "substantial" was the most costly word in the language; and he took it for granted that the object of the Bill was to give the Commissioners power to remove restrictions. That was a power which, with regard to the intentions of the Founders, he could not agree to. The clause would either be a dead letter or would very much tie the hands of the Commissioners, and he thought he had made out a good ground for omitting it.

MR. WALPOLE supported the clause, and urged that it ought to be retained, as it could not have the effect which the hon. Member stated, but would have a very useful operation in practice, as a guide for the Commissioners. The clause embodied no new principle, as there was one containing similar words in the Endowed Schools Act.

MR. CLIFFORD regarded the words of the clause as too vague, and said he should support his hon. and learned Friend the Member for Denbighshire if he went to a division.

MR. MOWBRAY was astonished that the hon. and learned Gentleman the Member for Denbigh was not acquainted with the Act of 1854, which was passed under the auspices of the right hon. Gentleman the Member for Greenwich, and which contained clauses similar to that now proposed.

MR. GOSCHEN thought the right hon. Gentleman (Mr. Mowbray) had not entirely appreciated the effect of the clauses he had referred to in the Act of 1854. The point of the present clause was prohibitive, because it actually forbade the Commissioners to do anything contrary to the main designs of the founders. He disapproved of the insertion of this clause.

LORD RANDOLPH CHURCHILL supported the clause.

MR. DODSON said, he thought the Committee would not do very wrong if it rejected the clause, as it contained some lax and doubtful morality. He thought they might fairly trust the Commissioners to deal properly with the endowments in question. The directions laid down in the clause would not, in his opinion, in any way strengthen their hands.

MR. BERESFORD HOPE said, the difficulty raised in this discussion was one which was always encountered in endeavours to reform ancient institutions. They wanted to prevent the reformers from going too far, and yet they were apprehensive for themselves lest they should pull up too soon. Although the Commissioners might appreciate the fact that certain endowments had, for a great length of time, been diverted from the main design of the founder, they were not bound to constitute themselves an antiquarian committee, and simply to rummage out old title-deeds and documents going back 600 years; the clause was simply a direction to them as to the lines on which they should travel. If, however, the practical working of any foundation was found to be consistent with the main design of the founder, there ought, he contended, to be a prejudice in its favour, so that a Professorship of law, for instance, should not be turned into a Professorship of medicine, or a Professorship of music into one of comparative anatomy.

MR. KNATCHBULL-HUGESSEN would be sorry to show any disrespect for endowments, or to see the Commissioners altogether set aside what might be the excellent intentions of founders; but he thought his hon. Friend the Member for the University of Cambridge had furnished a strong argument against the clause. He could very well understand that there might be a Professorship of anatomy or other Professorship, the lectures on which experience might have shown that nobody would attend, which might be very advantageously supplanted by another Professorship of which numbers would avail themselves. It would be unwise, therefore, he maintained, to tie the hands of the Commissioners, and so prevent them from acting in the manner that they might deem to be most beneficial for the interests of the University. In fact, the question was entirely one of placing confidence in the Commissioners, who, he thought, might be depended on not to go against the design of a founder unless it was impossible to give it effect. The Government had carried their own Commissioners, and could surely have confidence in them. The best thing to do would be to strike out the clause altogether.

MR. J. G. TALBOT was of opinion that certain great principles ought to be laid down by Parliament for the guidance of the Commissioners.

SIR HENRY JAMES said, the clause was, in point of fact, obligatory, and therefore prohibitive against doing that which was the subject of the obligation, as the Commissioners were not to do anything without having regard to the main design of the founder. If the Committee intended to accept the words in that sense well and good, but they ought clearly to understand what they were voting for.

MR. STAVELEY HILL said, that in this clause the words were "shall have regard," while in the Act of 1854 the words were "it shall be lawful" for every College for the purpose of effecting the main design of the founder to do certain things, and he contended that the words in that Act were far more obligatory than in the clause now under consideration.

SIR WILLIAM HARCOURT considered that the hon. and learned Member had just proved that there was really no obligation under the Act of 1854, and he must have convinced the right hon. Gentleman (Mr. Gathorne Hardy) that the words "it shall be lawful" were more elastic than the words "shall have regard."

MR. GATHORNE HARDY said, he was quite satisfied with the form of the words in the clause. The clause only meant that full consideration should be given to the main design of the founder, and did not impose an imperative obligation as to any particular form of action.

MR. GOSCHEN did not clearly understand whether or not the Government concurred in the view of the clause expressed by the hon. Member for the University of Cambridge (Mr. Beresford Hope), which was, that if a chair of anatomy, for example, had been founded, the subject of study could not 50 years afterwards be changed.

MR. DALRYMPLE said, he did not think that a foundation even within the past 50 years was covered by this clause. If the clause were read in the light of the clause preceding it, the objection to it would be removed.

MR. BRISTOWE said, the words "shall have regard to" were imperative, unless certain things had occurred.

MR. BERESFORD HOPE said, if the word "main" did not precede "design," the clause would be open to the criticisms made, but the word "main" showed that the Commissioners were not to be over minute.

MR. GRANT DUFF asked whether the right hon. Gentleman in charge of the Bill accepted the interpretation of the last speaker?

MR. HERSCHELL asked whether the clause carried out the intention of the right hon. Gentleman? He should like to know, if the Commissioners were merely to take into consideration the main design of the founder when making a statute, or whether they were not to make a statute in furtherance of that main design? He submitted that the latter was what they would have to do, especially when the use of the same words of the next clause was considered.

MR. MARTEN said, it would not be imperative to carry the main designs of the founder into effect.

MR. OSBORNE MORGAN said, hon. Members seemed to overlook the difference between an enabling and an obligatory clause. Three different interpretations of this clause had been given, and it was likely as many different interpretations would be given by Courts of Law. If the main design of the founder was to have regard to education, religion, learning, and research, the matter might be left to the 15th clause.

Question put, "That Clause 14 stand part of the Bill."

The Committee *divided*:—Ayes 134; Noes 94: Majority 40.—(Div. List, No. 98.)

Clause 15 (Provision for education, religion, &c.).

LORD FRANCIS HERVEY moved, in page 5, line 13, to insert the word "and," in order afterwards to omit the word "research." He wished to know why, if research was a good thing, it should not be covered by the word "learning" or "religion." The fact was that it was originally inserted to conciliate a small and enthusiastic clique whose opinions were now at a discount. Some one said that the endowment of research really meant the research of endowment; but, for his part, he wished to get the word "research" out of the clause, and thus retain the English character of our Universities.

Amendment proposed, in page 5, line 13, after the word "religion," to insert the word "and."—(*Lord Francis Hervey.*)

MR. BRISTOWE supported the Amendment. He should like to have an explanation from the Government of what was really meant by the term "research." He considered that no University funds should be devoted to the founding or endowing of Professorships where the duties of the Professors did not directly tend to supply the educational requirements of the Universities, however desirable or useful the scientific investigations to be pursued might be.

MR. GATHORNE HARDY said, the noble Lord and the hon. Gentleman seemed to be under the apprehension that if research were brought into the University, education would be driven out. On the contrary, he held that no teaching could be successful that was not founded on the most minute research. He was convinced that it was of advantage to introduce the word into the Bill; but it was not intended to enable persons to prosecute research on an extensive scale without teaching. There were, no doubt, many subjects of research which by their nature were not lucrative to those who prosecuted them, but the prosecution of which was of great importance to education throughout the country, and especially to the University in which they were carried on. There was, however, no intention to carry research to the extravagant lengths which some speakers and writers feared would be the case, and which would utterly pervert the purposes of the University. So far from diminishing the educational power of the University, that which was proposed would give to education a more solid basis than it now possessed.

MR. TREVELYAN, in opposing the Amendment, observed that the explanation which the right hon. Gentleman had just given was in all respects satisfactory. They could not have a University where education was proceeding without research proceeding at the same time. It was most important that men who had a taste and strong desire for prosecuting inquiries on abstruse subjects should receive due encouragement.

MR. BARING said, he was in favour of the Amendment. If the Universities were to make specific grants for specific work, there should be University supervision with a view to secure that no part of the money was thrown away.

MR. GRANT DUFF agreed with his hon. Friend the Member for the Border Burghs in considering the explanation of the right hon. Gentleman the Secretary for War satisfactory. As he understood the right hon. Gentleman, those who were responsible for the measure simply meant that Oxford and Cambridge should not be placed in a worse position with regard to scientific investigation than were the other great Universities of the world—nothing more and nothing less.

MR. KNATCHBULL-HUGESSEN had hoped the Committee would have been unanimous after the speech of the Secretary at War. No doubt a great deal of nonsense had been written and spoken about "research;" but because a word had been abused, that was no reason for excluding its use. The present clause merely allowed provision to be made for research generally; and, if necessary, a closer definition of what was intended might be inserted in a subsequent clause.

Question put, "That the word 'and' be there inserted."

The Committee *divided*:—Ayes 12; Noes 172: Majority 160.—(Div. List, No. 99.)

MR. GREGORY moved, in page 5, line 15, the omission of the words, "that those interests of the college," and the insertion in their place of the words "to the maintenance of such college as a place of education, and of the emoluments of the same," the interests referred to being education, religion, and learning. The effect of the Amendment, therefore, was that the Commissioners in making a statute for a College should have regard, in the first instance, to the maintenance and purposes of that College.

MR. GATHORNE HARDY said, he would accept the Amendment.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 16 (Objects of statutes for University).

MR. BERESFORD HOPE moved, in page 5, line 23, that after the word "purposes" the following words be inserted:—

"With power to the Colleges, with the consent of the Commissioners, to commute any annual payments for a capital sum."

MR. GATHORNE HARDY thought the Amendment was not an unreasonable one.

MR. GOSCHEN hoped it was clearly understood that the commutation would be for the present annual payments. Care should be taken that the Colleges should not be exempted by that Amendment from any future annual payment which might be put upon them.

MR. GATHORNE HARDY said, it would refer only to the annual payments made at the time of the commutation.

MR. COURTNEY was rather surprised that the hon. Member for the University of Cambridge had made that proposal. For himself, as a Member of one of the Colleges, he should be slow to assent to that commutation.

Amendment *agreed to.*

MR. GOSCHEN moved the insertion in the first sub-section, after "regard being first had," of the words "in the case of all Colleges serving any educational purpose." The insertion of those words would secure the educational wants of a College being satisfied in the first instance before it should be called upon to contribute to the University, and where the educational wants of a College were none, or very small, then the prior claims of the University should be satisfied in preference to those of the College. If his Amendment were adopted it would leave the Commissioners free to deal with All Souls', and if found advantageous to apply its surplus to the benefit of the University. Why, for instance, should not its law library be added to the Bodleian, and then instead of belonging to one College only, it would be available for the whole University.

MR. GATHORNE HARDY was unwilling to accept that Amendment, which he did not think would effect its object, and which would tend to cast a slur on All Souls' that was not altogether deserved. The words proposed would not exclude All Souls', because All Souls' did serve educational purposes. It was the means of endowing Professorships, and it also much encouraged the study of law and history. When the educational purposes of All Souls', such as keeping up its magnificent library, which was the finest in Europe, had been supplied, the surplus could be got at by the means provided in the 17th section. He was not inclined to declare in the Bill that any College did not serve educational purposes.

MR. DODSON thought the arguments of the Secretary of State for War told in favour rather than against the Amendment. The Amendment was directed against a hypothetical College not named which did not serve educational purposes. If All Souls' did not come under that description, the clauses would not affect it.

MR. MOWBRAY opposed the Amendment, as being directed *ad invidiam* against a particular College. Their legislation should be directed against actual and not mere hypothetical cases.

MR. JAMES remarked that All Souls', which enjoyed £15,000 a-year, could only be said to fulfil educational purposes in a very qualified sense. The Fellowships of All Souls' were really idle Fellowships in the strictest sense. They always appeared to him as a kind of Oxford aldermen—excellent fellows who gave sumptuous dinners.

MR. MARTEN objected to the Amendment, because it cast a grave imputation on the College. He thought that if All Souls' were to be attacked, it should be by a separate clause in the Bill.

SIR THOMAS ACLAND thought the words of the clause sufficient as they stood. All Souls' might be made much more educational than it was; but it was an important College, and had done good service. He hoped, therefore, that the right hon. Gentleman would not press his Amendment.

MR. GOSCHEN said, that the broad principle was that in such a case as that of All Souls' the University ought to take precedence of the College. The Amendment was not to cast any blame on all Souls'; but as the clause was drawn the "Collegiate purposes" of All Souls' were to take precedence of University requirements. What were these Collegiate purposes? He had thought that it was a pleasanter way of raising the question than to point at All Souls'

in an Act of Parliament. If these words were not inserted he should consider whether, either in a separate clause or on Report, the case of All Souls' ought not to be dealt with. He would withdraw the Amendment.

MR. NEWDEGATE said, that years ago All Souls' was a College in which gentlemanly manners were best taught, but good manners seemed to be considered a superfluity in the present day. He, however, rose to ask two questions —If there were to be in this Bill any assignment of the funds of the Colleges to the Universities; and if there were to be any means by which Colleges could commute by capital sums the payments required from them by the Commissioners?

MR. GATHORNE HARDY said, that the last question was already answered by an Amendment carried in Committee, and with regard to the other there was a Motion not yet come on of the hon. Member for East Sussex (Mr. Gregory) which he was not yet prepared to accept, because it would not be fair to some Colleges.

MR. GOSCHEN explained that he had not said that he was in favour of any particular scheme; he only wished that power should be given to the Commissioners.

Amendment, by leave, *withdrawn.*

MR. DODSON asked what was the meaning of "other collegiate purposes?" To put himself in Order he would move to omit the words "and other collegiate."

MR. GATHORNE HARDY said, they were the management of the estate, the maintenance of the buildings, the keeping up of the library, and the support of a society for effecting these purposes.

Amendment, by leave, *withdrawn.*

MR. GREGORY moved, in page 5, line 25, after "purposes," to insert

"and provided that such contribution shall not exceed five pounds per centum of the net revenues of any college, unless with the consent of two-thirds of the governing body of such college present and voting at a meeting of such body specially called for the purpose."

He calculated that the £5 per cent on the net income of the Colleges would amount to £15,000 per annum, or £20 per cent of the present revenue of the University of Oxford, and in the case of Cambridge University to £12,000, or 50 per cent on the revenue of the University. He thought it quite unnecessary for University purposes to go beyond the limits prescribed, and without the necessity it would be injustice to the Colleges to alienate their revenues to any greater amount.

MR. OSBORNE MORGAN thought it would be impossible for the Commissioners to act under such a proviso as that. If the principle of the Bill, which was to compel Colleges to make contributions out of their funds to the University, was not a good one let them say so; if it was good, why should they stop at 5 per cent?

MR. BALFOUR opposed the Amendment.

LORD EDMOND FITZMAURICE said, that the speech of the hon. Member for East Sussex was not so much a speech in favour of the Amendment as one which ought to have been made on the second reading of the Bill. The Amendment was really an attempt to drag a herring across the scent and to take its vitality from the Bill.

MR. FORSYTH said, that having appointed Commissioners under the Bill, it would not be right now to tie down their hands, as would be done by the Amendment.

LORD FREDERICK CAVENDISH opposed the Amendment on the ground that a uniform rate of 5 per cent would not be suitable.

MR. GATHORNE HARDY said, the whole scope of the Bill was to give the Commissioners power to inquire into the wants of the Universities and Colleges, and a discretion to act accordingly. He hoped the Amendment would be withdrawn.

Amendment *negatived.*

MR. GOSCHEN moved, in page 5, line 25, after subsection 1, to insert—

"2. For the creation, by means of contribution from the colleges or otherwise, of a common University Fund, to be administered under the supervision of the University in accordance with statutes made under this Act. 3. For making payments, under the supervision of the University, out of said common fund for the giving of instruction, the doing of work, or the conducting of investigations in any branch of learning or inquiry connected with the studies of the University."

MR. GATHORNE HARDY said, he was rather reluctant to adopt the prin-

ciple laid down in the Amendment, that there should be a Common University fund. He would rather leave it to the Commissioners to say how the contributions should be made, and what should be done with them when made, than lay down exactly the plan which the Commissioners should follow. He was willing to accept the third of the right hon. Gentleman's proposals omitting the words "out of the said common fund."

MR. GOSCHEN said, he proposed that a common fund should exist for all purposes, and not simply for certain purposes that might be specified. He did not wish that the contributions of the Colleges should be ear-marked for particular purposes. If funds were asked for from the Colleges to found certain Professorships, it might be that, after a certain time, those Professorships would be unnecessary. What he meant by a common University fund already existed to a certain extent at Oxford in the "University chest," but there was nothing of the kind at Cambridge. The arrangement he proposed would be purely financial, and would enable the Commissioners to deal in a more satisfactory way with the Colleges.

MR. BRISTOWE supported the Amendment.

MR. GATHORNE HARDY expressed his regret that at present he could not accept the proposal to create a common University fund. The Oxford University chest had a limited and not a general application.

MR. GOSCHEN having consulted with high authorities at Oxford, was enabled to say that they approved of his proposal.

MR. GATHORNE HARDY said, that in the meantime he would accept the Amendment of the right hon. Gentleman; but, at the same time, he should think himself at liberty to re-consider the matter upon Report.

Amendment *agreed to.*

On the Motion of Mr. STAVELEY HILL, a subsection was agreed to, enabling the Commissioners to draw up statutes for the abolishing and disendowing Professorships or Lectureships.

MR. BRISTOWE moved, in page 5, line 34, the omission of sub-section (6), which related to providing retiring pensions for Professors and Public Readers.

MR. GATHORNE HARDY said, the sub-section merely gave power to the Commissioners to grant pensions in certain special cases. Retiring pensions would be very rarely given. As the operation of this sub-section of the clause would be more prospective than retrospective, he hoped the Committee would agree to pass it. Without some such provision Professors might retain their appointments long after they became useless for teaching purposes.

SIR WILLIAM HARCOURT was in favour of the clause as it stood, and was sorry it did not also apply to Heads of Colleges. The retiring allowance was fixed on such a low scale as to preclude the possibility of jobbery.

MR. OSBORNE MORGAN considered the clause in question the best part of the Bill.

SIR THOMAS ACLAND would like to see the clause go further, and provide for the retirement of Heads of Houses.

MR. GOSCHEN thought it was necessary that pensions should be occasionally granted. He hoped, however, the Commissioners would not think that the Committee were in favour of a large scheme of retiring pensions, as that would lead to notorious jobs and abuses.

Amendment, by leave, *withdrawn.*

MR. JAMES moved, in page 5, after line 40, that power should be given to the Commissioners—

"For providing instruction for any members of the University during any University vacation."

MR. GATHORNE HARDY said, the Amendment was an attempt to place upon the Universities a task which they never undertook. It was not the University which arranged for the teaching of Undergraduates, but the Colleges and the censors of unattached students. The Universities could not arrange that the Colleges should be kept open. But these were, after all, things which could be best settled by the Universities and Colleges among themselves. So far as he was aware, anyone who now wished to study during the Long Vacation was not prevented from doing so.

MR. BERESFORD HOPE protested against the assumption that there was no systematic study in the Long Vacation at the University of Cambridge, at least.

At Cambridge the old practice of reading parties at a distance, had been practically found to be not unfrequently a system of organized pleasuring, and so the habit had grown up of allowing reading men to stop up during the Long Vacation. This brought back the private tutors, and enough men remained to encourage each other in their studies, and fill up the time of those tutors. The Long Vacation was generally regarded as a fourth term for reading men.

SIR WILLIAM HARCOURT said, that this Bill was to provide for the future University teaching, and not teaching by the Colleges alone. He thought it a scandal to the great endowments both of the Colleges and the Universities that they should strike work for so many months in the year; for he differed from his hon. Friend the Member for the University of Cambridge as to there being teaching at the University which he represented during the Long Vacation. He had remained at Cambridge during the Long Vacation, but neither University nor College did anything in the way of teaching. The private tutors no doubt were there, but they were the luxury of the rich. The question was whether the Universities were to be places of teaching for the masses of the nation or not. Nominally they gave instruction during three years, but practically it extended only over two years; one-third of the time was lost in vacations. There ought, he contended, to be instruction supplied throughout the year, so that young men who could not afford to spend three years at a University might be enabled after the lapse of two years, and at the age of 20 instead of 23, to enter on the active pursuits of life.

MR. MOWBRAY pointed out that the question raised by the hon. and learned Member for Oxford was a much wider question than that raised by the Amendment. The hon. and learned Gentleman had endeavoured to force his views as to the abolition of the Long Vacation on the Profession of which he was such a distinguished ornament, and the only result of the Judicature Act was that the Judges commenced the Long Vacation earlier than before. He hoped they would not be led away by the discussion of the limited subject raised by the Amendment to that of the much-wider issue raised by the speech of the hon and learned Gentleman.

MR. OSBORNE MORGAN thought it would be impossible in a Bill such as that under discussion to draw an exact line as to the course which the Commissioners should pursue in the matter. These were matters which should be left to the Universities and Colleges themselves.

MR. FORSYTH confirmed what had been stated by the hon. and learned Member (Sir William Harcourt) as to no instruction being given at Cambridge during the Long Vacation.

MR. KNATCHBULL-HUGESSEN argued in favour of trusting to the Commissioners as to the expediency of devising means for providing instructions at the Universities out of Term. For his own part, he thought the Amendment was founded on common-sense, and that it was most desirable that University instruction should not be entirely closed to students during the long periods of vacation.

SIR WILLIAM FRASER was of opinion that a good deal of time was wasted in the vacations. He did not, however, think the difficulty would be met by the Amendment, and would prefer that an Undergraduate should be enabled to take the ordinary degree in two instead of three years.

MR. LOWE said, that the intention of the clause was a good one, but the means proposed for carrying it were not good. He did not see how the Universities could with any propriety make rules for teaching out of Term time. It was a monstrous abuse that the Universities should teach only half the year, as the other half was wasted in vacations. That which could be done in two years was spread over a longer period. Many men were taught at the Universities in the vacations. He had had some experience in that matter, for he had taught many, and he did not require an Act of Parliament to tell him what to do. The Universities should do a fair quantity of work, but they did not do that at present.

MR. GOSCHEN suggested that the Amendment should be withdrawn for the present, in order to see whether something might not be done in a later part of the clause towards lengthening the studies and shortening the vacations.

MR. JAMES accepted the suggestion, and offered to withdraw the Amendment.

SIR THOMAS ACLAND remarked that the University had already sanctioned unattached students, and something ought to be done to enable the University out of its funds to provide the means for enabling poor men to continue their studies during the Long Vacation at Oxford.

Amendment, by leave, *withdrawn*.

MR. HANBURY moved the omission of the words of sub-section 8 which enable the Commissioners to "found" scholarships or otherwise to assist "poor and meritorious students." It would be sufficient he said to treat this class as unattached students, not members of any College or Hall.

Amendment proposed, in page 5, line 40, to leave out the words "diminishing the expense of University education by."—(*Mr. Hanbury.*)

MR. MOWBRAY said, the clause had been introduced at the instance of the Archbishop of Canterbury, and was supported by a memorial of the working classes, in whose interest especially it was put forward, and he did not see that there was anything invidious in it. They might, he thought, use those words in order to harmonize with the intention of the clause. The Universities were strongly in favour of it as it now stood.

SIR CHARLES W. DILKE, in supporting the Amendment, said, that that sub-section would have the effect of giving special scholarships to a body of men to whom the ordinary exhibitions of the Colleges were already open, and by the best of whom they were obtained. The result would be, of course, an artificially low standard. The sub-section was not in the Bills as originally introduced last year, and the words were put in without sufficient consideration in the House of Lords. They should by all means allow men to come and reside at the Universities, however little they might know; but they got into every kind of difficulty so soon as they began paying them to come. Plenty of scholarships were open to the unattached students, and those who were not only "poor," but also "meritorious," could obtain them. At Cambridge, for instance, all the scholarships at Trinity, all the scholarships at King's, all the University scholarships, and many more were open to the unattached students.

MR. BERESFORD HOPE said, that poor and meritorious students ought to be assisted in their University career; but it should be by their friends in the country or by exhibitions from the grammar schools, rather than by the University—the one body which ought not to know them in their social relations. He trusted that the House would adopt the Amendment.

MR. OSBORNE MORGAN entirely concurred in the views expressed by his hon Friend the Member for Chelsea. The principle upon which these rewards should be distributed should be the plain one *detur digniori*. The clause would have the effect of turning Oxford and Cambridge into eleemosynary institutions. He hoped the hon. Member would press his Motion to a division.

MR. NEWDEGATE saw the gravest objections to the clause as it stood. It would place the College funds in a position to be drawn upon in a most unfair manner. Poverty and merit combined were already met by the scholarships existing in connection with the public schools. He had known instances of the association of poor men with rich men at the University proving almost ruinous to the poor men, from the style of living to which it accustomed them, and which they were not thereafter able to keep pace with. The proposed change ought not to be made, more particularly at a time when the expenses of University education were so much complained of.

MR. BRISTOWE observed that the result of the working of the sub-section would be that funds would be taken from Colleges which had done excellent educational work to found unattached scholarships. He had no objection to unattached students; but the former was a policy which, in his view, was utterly to be deprecated.

MR. FAWCETT could not agree with those who held that a discretionary power on the subject should not be placed in the hands of the Commissioners. It was, in his view, most unlikely that the scholarship funds should be diminished; in fact, the Commissioners would very probably find a strong current of opinion that they might be advantageously augmented. The ques-

tion before the Committee was, what was to be done with the superfluous funds of the Colleges, and of all the purposes which had been suggested to which the College funds might be applied, none seemed to be more worthy of careful consideration by the Commissioners than that they should devote some portion of any funds to be given by the Colleges to the establishment of unattached scholarships. He objected to the scholarships of his own College being diminished; but if there were £500, or £600, or £700, surplus funds of his College, he should not object to a portion of it being handed over to the University and a portion devoted to reward unattached students by giving them scholarships. This class of students was one that ought to be particularly encouraged, and it was a special one, composed largely of men who had their own reasons for not entering Colleges. Some of them were men who wished to take a degree comparatively late in life. The Commissioners would, of course, deal permissively with only surplus funds, and he did not think they could be better employed than for the benefit of the unattached students.

MR. W. E. FORSTER said, it appeared to him there were two questions of importance before them. The one was whether they should have any Colleges at all specially for poor students. All that he heard on the subject tended to show that it was neither advantageous to the students nor to the Universities to have such Colleges. The other was whether the power should be given to Colleges to award scholarships to unattached students. It appeared to him that it would be of great advantage to the Universities to give them the power of applying a portion of their funds to teach such unattached students and fit them for scholarships. Both the objects he had named could be attained by leaving out the words objected to by the hon. Member for Tamworth.

MR. LOWE said, the objection entertained with regard to poverty applied to a great extent to these unattached students by making them a privileged class, and giving them the means of obtaining money easier. The unattached students were not on a par with others, because the condition of obtaining a scholarship in a College was, that a student must go into residence, and an unattached student, although he might be able to live frugally in his lodgings, might be equally able to do so in College with the assistance of scholarships and then be able to compete. The way to meet the difficulty would be by founding a number of scholarships capable of being held by persons belonging to Colleges and unattached students, in which case they would be placed on a level with others, and they would not be deprived by poverty of obtaining that which was open to other persons.

MR. GATHORNE HARDY said, it was quite true that this clause was not in the Bill when it was originally introduced into the other House by his noble Friend. In adopting the clause it would be necessary that the Commission should have power to pay salaries from the University funds to the teachers of unattached students. There were men who lived in some of the Halls at Oxford who did it as cheaply and as penuriously as unattached students, and he would instance the case of Keble College. On the whole, he would rather that the words "poor and meritorious" should be struck out, and then the Committee might adopt the clause, which would then leave it open to all—both to resident and unattached students—provision being made for the payment of teachers for the unattached students. He hoped, therefore, that the Amendment would be withdrawn and the clause agreed to, with the omission of the words "poor and meritorious."

MR. GOSCHEN said, that it would be necessary to leave out the words "in need of assistance," and "diminishing the expense."

MR. GATHORNE HARDY said, that the words "diminishing the expense" were important. Very often the scholarships answered the purpose of diminishing the expense of a University career.

SIR CHARLES W. DILKE said, he could hardly accept the suggestion of the right hon. Gentleman. They were really asked to agree to the establishment of a large number of new Colleges like Keble College, and he did not think that the effect of this clause would be to diminish the cost of University education. He had no objection to the last part of the clause, but would take a division against the former part.

MR. BERESFORD HOPE pointed out that as his right hon. Friend had gone so far in the way of concession it was not worth while to divide on the point now in dispute, because it was only a forecast of what appeared in a more lengthened form in Clause 9.

MR. J. G. TALBOT thought that as the object was really to found Scholarships for "poor and meritorious" students there would be no harm in using these words; he could never see the objection to calling things by their right names, but he believed that even in the amended form the clause would give great satisfaction.

MR. COURTNEY was understood to suggest that the clause, as the Secretary of State for War now proposed to amend it, would not do what the right hon. Gentleman intended — namely, benefit unattached students; but might result in the creation of a certain number of new University Scholarships like the Craven and the Bell Scholarships.

LORD EDMOND FITZMAURICE hoped that the right hon. Gentleman would adhere to the words "diminishing the expense of University education." It would be better to cut down the cost of University education than to create a number of Scholarships and Fellowships to be scrambled for.

MR. FAWCETT observed that the object of the clause was to give some assistance to unattached students; but if the present proposal of the Secretary of State for War was carried out, not the smallest assistance would practically be given to unattached students. It only added to the Scholarships which were open to everybody, and those who obtained the Craven and other Scholarships would also carry off the new ones. The object of the Act of Parliament passed some years ago was to put the unattached scholars on the same footing as the others, but this clause would have a contrary effect.

MR. GATHORNE HARDY maintained that the clause was not open to the objections which had been taken by the hon. Baronet (Sir Charles Dilke) and the hon. Member for Liskeard (Mr. Courtney).

MR. HANBURY expressed his willingness to withdraw his Amendment.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 269; Noes 82: Majority 187.—(Div. List, No. 100.)

LORD EDMOND FITZMAURICE moved, in page 5, line 41, after the word "by" to insert "reducing the fees payable to the University, and."

MR. GATHORNE HARDY said, it would be better to leave the Universities to settle the fees upon which students should be admitted.

MR. BALFOUR supported the Amendment. He did not see why there should be any University fees at all.

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 104; Noes 188: Majority 84.—(Div. List, No. 101.)

House *resumed*.

Committee report Progress; to sit again upon *Thursday*.

NEW FOREST BILL.

On Motion of MR. WILLIAM HENRY SMITH, Bill to amend the administration of the Law relating to the New Forest, in the county of Southampton; and for other purposes, *ordered* to be brought in by MR. WILLIAM HENRY SMITH, MR. CHANCELLOR of the EXCHEQUER, and MR. NOEL.

Bill *presented*, and read the first time. [Bill 160.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, 1*st May*, 1877.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Settled Estates (49).

Committee — Report — Judicial Proceedings (Rating) * (37).

BURIAL ACTS CONSOLIDATION BILL.

EXPLANATION.

THE DUKE OF RICHMOND AND GORDON said, that in his absence yesterday his noble Friend (Earl Granville) drew attention to the circumstance that the Committee on this Bill was set down for Ascension Day. No doubt

when the Committee was fixed for the 10th that circumstance had escaped notice. He proposed to postpone the Committee till Thursday, the 17th inst., which he hoped would be a convenient day for their Lordships. On a former occasion his noble Friend had suggested that the Bill should be printed in such form so that what was old might be readily distinguished from what was new in it. He had consulted the draftsman on that point, and it appeared that there might be a difficulty in carrying out the noble Earl's suggestion, as the Bill was a very long one—consisting of between 80 and 90 clauses—and the old and the new parts of it were much mixed up. He was in communication with the draftsman, who was considering the matter; and if the Bill could not be printed in the manner suggested, he would lay on the Table a memorandum describing the proposed alterations in the existing law.

EARL GRANVILLE remarked that as the noble Duke proposed to postpone the Committee for so long a time, it would appear as if the Government were not very anxious about the passing of the Bill. He hoped there would be no further postponement, and that on the day named he would be ready to go into Committee.

THE DUKE OF RICHMOND AND GORDON replied that, as usual, his noble Friend had something to say, but the inference drawn by him on this occasion was not correct. He could assure his noble Friend that there was no desire on the part of the Government to delay proceeding with the Bill. As the Business in the other House was somewhat in arrear, nothing would be gained by sending down the Burials [Bill within the next week or fortnight — for the other House would scarcely be able to take it up till after that.

THE EASTERN QUESTION—THE PAPERS — THE RUSSIAN CIRCULAR. QUESTION.

EARL GRANVILLE: I wish to ask the noble Earl the Secretary for Foreign Affairs, When the further Papers promised by him, having reference to the Eastern Question, are likely to be delivered? I beg further to ask him, whether an answer has been sent by Her Majesty's Government to the Circular from the Russian Government; and, if so, whether that answer will be laid on the Table?

THE EARL OF DERBY: The Papers which I promised in addition to those already laid before Parliament will, I hope, be presented on Thursday next. With regard to the latter part of the noble Earl's Question, I have to state that the Government have prepared an answer to the Circular of the Russian Government. That answer has been submitted for approval to Her Majesty, and when approved will be forwarded to St. Petersburgh. I shall be prepared as soon as usage will permit—namely, as soon as it is in the hands of the Russian Government—to lay it on the Table of the House.

SETTLED ESTATES BILL—(No. 49.)

(*The Lord Winmarleigh.*)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD WINMARLEIGH, in moving that the Bill be now read the second time, said, that the object of the measure—which had come up from the Commons—was to consolidate and amend the law relating to leases and sales of settled estates. The powers now possessed on this behalf had been created by several Acts of Parliament, all passed in the reign of Her Majesty; and, in consequence, great difficulty and confusion had arisen, and the powers of the Courts by which their provisions had been administered were defective. This Bill repealed the whole of these Acts, and contained a series of clauses which extended and defined the powers in regard to settled estates contained in the previous Acts.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

THE MEDITERRANEAN—SECURITY OF COMMERCE.—QUESTION.

LORD WAVENEY said, that in putting the Question of which he had given Notice, it was not his intention to detain their Lordships at any great length. The object of his inquiry was that the public

might be informed at the earliest possible moment as to how matters stood in the Mediterranean. Remembering the serious injury inflicted on commerce by pirates in that sea during the Greek War of Independence, he was much afraid that the recurrence of a similar state of things was not far distant. He had given his Notice in consequence of the following statement, which appeared among the foreign correspondence of *The Times* on the 25th ult:—

"A band of pirates, headed by the notorious Ghiorgoula, and formed at Athens by his Lieutenant, Latzks, for the purpose of attacking different points in the Archipelago, has been captured in a creek at Rhodes. After a raid on Lindos, bad whether had forced them to take refuge there. The Turkish Gendarmerie Colonel surprised them in a cave, from which, being threatened with starvation, they made a sortie, killing the Orderly Officer, a Gendarme, and three civilians. On the death of the chief and his lieutenant, the remaining 13 surrendered."

Seeing how well provided we were with Consuls and Vice Consuls, he presumed that the Foreign Office was kept well informed on such subjects, and he therefore begged to ask the Secretary of State for Foreign Affairs, Whether any reports had yet been received from Her Majesty's Consuls abroad of the existence and progress of piracy in the Mediterranean?

THE EARL OF DERBY: The only case of piracy in the Mediterranean which has come to the knowledge of the Foreign Office is the one to which the noble Lord has referred in putting his Question. The circumstances were precisely as they are stated in the correspondence quoted by the noble Lord — namely, that a piratical crew made a descent on Lindos, which they plundered, and carried off a considerable amount of property. The next day the Governor sent troops by land and also sent a ship, or ships, to cut the pirates off by sea. The pursuit was successful. The greater number of the band were captured, and their leader is said to have been shot. The despoiled property, or the greater portion of it was recovered and restored to the owners, and some of the band were sent to Rhodes to be tried. It would appear that the majority of the pirates were from Greece, and some few of them were from the Islands of the Archipelago. That is the only case of piracy that has come to our knowledge. No doubt the Consuls and Vice Consuls will feel it their duty to report such occurrences to the Foreign Office should any others arise.

House adjourned at half-past Five o'clock, till Thursday next, half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 1st May, 1877.

MINUTES.]—SELECT COMMITTEE—Irish Land Act, 1870, *appointed;* Companies Acts, *appointed.*

PUBLIC BILLS—*Ordered*—Bishoprics.

Select Committee—Norfolk and Suffolk Fisheries * [117], *nominated.*

PRIVATE BUSINESS.

DERBY CORPORATION (EXTENSION OF BOROUGH, &c.) BILL. (*by Order.*)

CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill be now considered."

SIR HENRY WILMOT moved, as an Amendment, that the Bill should be re-committed to the former Committee, in respect of Clauses 42 to 46, inclusive, and Clause 52. The borough had been extended so as to include, among other districts, one called Litchurch, which had sufficient voluntary school accommodation, and the object of the proposed re-committal of the Bill was to keep Litchurch separate from Derby for educational purposes, so as to avoid placing the district under the Derby School Board.

Amendment proposed,

To leave out the words "now considered," in order to add the words "re-committed to the former Committee, in respect of Clauses 42 to 46, inclusive, and Clause 52,"—(*Sir Henry Wilmot,*)

—instead thereof.

MR. BALFOUR, as one of the Committee, said, that in incorporating Litchurch with Derby for educational purposes, the Committee acted on the

recommendation of the Education Department, believing that it was hardly within their province to discuss it. He hoped Parliament would lay down a rule to guide Committees, and would say either that a State Department should not make such a recommendation, or that a Committee ought to accept such a recommendation when made; or that it should have an opportunity of examining the officers of the Department on the subject, so that it might know the grounds on which the recommendation was made. In this case he hoped the Bill would be sent back to the Committee, because the recommendations of a Department ought not to be of such a character that a Committee should accept them without consideration.

MR. HIBBERT said, that at the time the Bill was before the Committee there was a deficiency in the school accommodation of Litchurch. He opposed the further reference to the Committee, on the ground that the object of it was to create one of those anomalies in local administration which Parliament was so anxious to get rid of, and the creating of which in Stafford and Cardiff was working so disadvantageously in those places that the hon. and learned Member for Chatham (Mr. Gorst) had introduced a Bill to get rid of the difficulties in those and similar cases. He contended that the definition of "borough" in the Education Act of 1870 would include the places to be incorporated with Derby by this Bill.

MR. RAIKES admitted the undesirability of perpetuating anomalies, but urged that uniform principles should be adopted in all similar cases, and that a district affected should have the opportunity of being heard on a proposal to which it was opposed, particularly as, in spite of the definition of "borough" in the Act of 1870, the 11th clause of the Act of 1873 secured for such district the privilege now claimed for Litchurch. In an unopposed Bill which came before him from Newport, Isle of Wight, and where he had extended the school district, he took care that the Preamble should recite the consent of the parties. The Walsall Act was also based on the consent of the parties. The Nottingham Bill had extended the school district of the borough; but he had been assured that in that case also the consent of all the adjoining districts had been obtained. He had hoped that the question had, indeed, been laid at rest as far as the Committees of that House were concerned, and that the line of action of Parliament where school districts had been enlarged had been in the direction he had indicated. The question was whether, by a private Act, they should deprive these districts of an immunity which they possessed by the law of the land. It was also a question of the administration of the Business of the House by its Committees. It would be unwise to regard this matter exclusively from the school-board point of view, because it involved the principle whether people should be taxed for purposes not their own, and against which Parliament by a general Act had insured their immunity.

VISCOUNT SANDON said, the question before the House was of a technical character, and it was for the House to decide whether the Committee had acted within the proper bounds in the matter. He was always sorry to find himself acting in opposition to the opinion of the hon. Member for Chester (Mr. Raikes) in a matter of this kind; but it was the deliberate intention of Parliament that the Education Department should make known its views. The Standing Orders of this year had been altered, as he believed, for this very purpose; and if hon. Members would refer to them, they would find that any private Bill affecting educational matters was obliged to be deposited at the Education Department, and that if the Committee which sat upon it did not adopt the views of the Department, they were bound to report their reasons for dissenting. Without going into the merits of the case for making boroughs in all instances conterminous with a school district, in favour of which he considered the arguments overwhelming, he might state that the Education Department had given the subject, as a mere question of law, their most serious consideration, and they felt it to be their duty to protest against any addition being made to the boundaries of the borough, unless a corresponding addition were also made to the school-board area of the borough. By the Act of 1870 Parliament acknowledged only three school districts—the metropolis, the municipal boroughs, and the civil parish—provided it was not in-

cluded in the boundaries of the municipal borough. Parliament had ruled that the municipal borough was to be the borough for the school district under all circumstances. The Department was therefore bound to assert the municipal borough, when it was formed, to be the school district of the place. It had no official knowledge whatever of the Resolutions, by these Standing Orders of the Chairmen of Private Bill Committees, and was bound to carry out the provisions of the Education Act. He would abstain from voting, as the question might be held to reflect somewhat upon his action in the matter; and it was therefore obviously more suitable that he should leave the House perfectly free to pass its own judgment upon it.

MR. W. E. FORSTER quite agreed with the noble Lord, and hoped the House would not decide the question from any feeling connected with the position of Private Bill Committees. The question at stake was whether, if they enlarged a borough, they should put the new district in an awkward and difficult position by making such a distinction? He could perfectly well understand that the dislike of a new district which was intended to be annexed to a borough to a school board ought to be heard by the Committee as a reason why it should not be annexed; but he hoped that the House would not acknowledge the principle that when once annexed there were to be two different administrations for education.

MR. BEACH assured the House that the decision arrived at by the Chairmen of the Private Bill Committees at the conference to which reference was made had been come to after much consideration.

SIR CHARLES FORSTER defended the course taken by the Select Committee to which the Bill had been referred.

THE CHANCELLOR OF THE EXCHEQUER said, the House had to consider a question of some difficulty relating to the action of Committees on Private Bills. His hon. Friend the Chairman of Ways and Means said that in these cases a certain law existed; Bills were brought forward which might or might not alter the application of that law in the particular cases, and it was not desirable that the decision of a question which was one of considerable general importance should be left to the varying decisions of Private Bill Committees. The Education Act of 1870 had provided that a borough should be a school district, and there could be no doubt that the boroughs then existing were made school districts. But it was contended that the operation of the Act was prospective. A great many districts had been added since the Act was passed without being made portions of school districts. He did not wish them to enter on that point, but it was one that ought to be discussed and settled. His hon. and learned Friend the Member for Chatham (Mr. Gorst) had in charge a Bill which would settle the question or, at any rate, raise a discussion upon it; and, under the circumstances, he should give his vote in favour of the suggestion which his hon. Friend the Member for Chester (Mr. Raikes) had made.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 127; Noes 161: Majority 34.—(Div. List, No. 102.)

Words *added*.

Main Question, as amended, put, and *agreed to*.

Bill *re-committed* to the former Committee, in respect of Clauses 42 to 46, inclusive, and Clause 52.

QUESTIONS.

INLAND REVENUE—EVASION OF THE CUSTOMS DUTIES.—QUESTION.

MR. O'SULLIVAN asked Mr. Chancellor of the Exchequer, If it is a fact that in one warehouse alone (where the Inland Revenue Commissioners admitted the revenue was defrauded of not less than £13,000) from four hundred to five hundred casks of whiskey were racked daily, from each of which casks nearly two gallons of proof spirits have been obtained without payment of duty; and if this evasion of duty has not amounted to over £80,000 per annum in one warehouse alone?

THE CHANCELLOR OF THE EXCHEQUER: The hon. Member is not correct in his calculation as to the amount of loss that has been sustained by the Inland Revenue from the cause to which he

refers. The fact is, that in the warehouse in question the number of casks racked did not exceed 420 a-week—not 400 or 500 a-day, as he represents in the Question, but 400 a-week—and the average quantity of proof spirit that could be extracted from each would be 1¼ gallons, instead of 2 gallons. Consequently, the loss of duty would amount to the sum mentioned in the Report of the Commissioners—namely, £13,000, and not, as the hon. Member says, to £80,000. I may add that the moment the attention of the Inland Revenue Department was called to the subject they issued instructions with a view to preventing anything of the kind, and the same course has been taken since then with regard to the Customs.

RUSSIA AND TURKEY — RUSSIAN NAVAL FORCES IN THE UNITED STATES.—QUESTION.

CAPTAIN PIM asked the First Lord of the Admiralty, If he is in possession of full information as to the numbers, strength, and movements of the Russian Naval Forces in the neighbourhood of San Francisco and New York; and, whether he will state to the House any intelligence he may have on the subject?

THE CHANCELLOR OF THE EXCHEQUER: In the absence of my right hon. Friend the First Lord of the Admiralty, I am bound to say to the hon. and gallant Gentleman that this is a question which Her Majesty's Government think ought not to be answered.

SASINE OFFICE, EDINBURGH — REDUCTION OF FEES.—QUESTION.

MR. MACKINTOSH asked the Financial Secretary of the Treasury, Why the conditions of the Act 31 and 32 Vic. c. 64, s. 25, regarding the reduction of fees in the Sasine Office, Edinburgh, providing—

"That it shall be in view that the fees to be drawn from the said department shall not be greater than may reasonably be held sufficient for defraying the expenses of the said department, or the improvement of the system of registration,"

have not been carried out, it appearing from the Estimates that for many years the surplus fees amounted to upwards of £10,000 per annum?

MR. W. H. SMITH: In accordance with the Act 31 & 32 *Vic.* c. 64, the fees taken in the Sasines and Searching departments of the General Register House were revised in 1873 and a reduced scale was sanctioned, to take effect from the 1st of April of that year, the loss to the Exchequer amounting to £16,850. The new scale was calculated to produce only such a sum in each year as would be sufficient to cover the expenses of the Department, including in those expenses not merely salaries, as shown in Vote 20 of Class III. of the Civil Service Estimates, but also pensions of retired officers, office rent, rates and taxes, and cost of books and stationery. The extra receipts mentioned on page 227 of the Estimates include the fees of all the departments of the Register House, many of which are not within the operation of Section 25 of the Act of 1868. It should be added that there are now proposals before the Treasury for an increase of the staff of the Searching department, which if sanctioned would materially increase the existing cost.

THE NAVY—TORPEDO INSTRUCTION. QUESTION.

MR. GOURLEY asked, If Her Majesty's Government will favourably consider the propriety of granting an allowance to Naval officers on half pay whilst voluntarily attending the torpedo lectures and practice at Portsmouth?

MR. A. F. EGERTON, in reply, said, that the officers in question had at present certain allowances made to them, and it was not the intention of the Admiralty to extend them.

MOTIONS.

ECCLESIASTICAL ENDOWMENTS (CEYLON).—RESOLUTION.

MR. ALDERMAN W. M'ARTHUR rose to call the attention of the House to the unsatisfactory state of affairs in the Island of Ceylon in relation to Ecclesiastical Endowments; and to move—

"That, as the members of the Anglican and Presbyterian Churches in Ceylon constitute a small part of the population and the great majority of the inhabitants are Budhists, Hindoos, or Mahomedans, this House is of opinion that the payment out of the Revenues of the

Colony of annual subsidies to the ministers of those Churches inflicts great injustice and occasions serious discontent, and ought, therefore, to be discontinued."

In bringing the question forward the hon. Member pointed out that it was not a movement for the disestablishment or disendowment of the Church properly so called, for the Church of England could not be said to be "established" in the Colonies according to the sense in which we understood the term in this country. In Australia and the Cape of Good Hope, Jamaica, and a number of other Colonies the grant made to the Church and to other religious Bodies had been revoked, and all denominations placed on the same level as regarded endowments for ecclesiastical purposes. In the present case the issue was a very narrow one. In Ceylon they were simply dealing with an ecclesiastical department of the Civil Service; and the question was, whether it was just to the people of that Colony, or necessary to their good government, that this department should be maintained out of the public revenue, and what was the general feeling of the population with regard to it? The facts of the case were these:—The total population of the Island, at the last Census, was 2,405,287. Of these, 1,520,574 were Budhists, 465,944 Hindoos, 171,542 Mahomedans, and 534 Veddahs—making together 2,158,594. Of the remaining 250,000 about 190,000 were Roman Catholics, while the Protestants of all denominations numbered between 55,000 and 66,000. The Census of 1871 gave 10,379 of these as belonging to the Church of England, 6,071 as Wesleyans, and 3,101 as Presbyterians. The members of the Church of England, however, were divided into three Bodies—namely, those attending services held by clergymen of the Church of England paid by Government, those belonging to the Church Missionary Society, and those connected with the Society for the Propagation of the Gospel. According to Mr. Ferguson's epitome of the Blue Book, the average attendance at the services of clergymen paid by Government was 2,197; at the Church Missionary Society, 4,284; and at the Society for the Propagation of the Gospel, 2,464. The average attendance at the Presbyterian churches was given at 803. Now, it was for those 2,197 Protestants, the most respectable and well-to-do of the community, that a sum of about £14,000 was raised from 2,500,000 Budhists, Hindoos, and Roman Catholics. It was true that the money was not all spent upon Anglicans and Presbyterians, for £100 was given to the 190,000 Roman Catholics, the remainder being divided as follows:—Three Bishops (two on pension and one on sick leave), an archdeacon, 11 chaplains of the Church of England, four of the Church of Scotland, six other chaplains in the central province to whom grants in aid were made, 14 catechists, a registrar, and 12 retired chaplains on pension. Allowances were also made for extras, such as repairs of buildings. Since the Report containing those facts was published two Bishops had been taken off the list, so that there remained one Bishop in charge—namely, Bishop Copleston, and one on pension. In 1849 a Commission on the fixed establishments of the Island, presided over by Sir Emerson Tennent, reported in favour of a return of the old system of placing the See of Colombo under the Bishop of Madras, and so saving Ceylon the unnecessary cost of a separate Bishop. The Duke of Newcastle, as Secretary of State for the Colonies in 1854, wrote a despatch to the Governor of Ceylon, in which he reminded him that the proper object of the ecclesiastical establishments was to provide for the religious wants of the European members of the civil and military services, not to furnish ministers to congregations of ordinary inhabitants. Sir Charles M'Carthy, Colonel Secretary, and afterwards Governor of Ceylon, supported the same view. Lord Northbrook, who must be acknowledged as a high authority, said, in a speech delivered since his return from India, he believed the day would come when we should give to India the inestimable blessing of a true religion; but he did not think it would be right for Government to use the taxation of a country for the teaching of a certain form of religion. In order to show the feeling which existed in the Colony, the hon. Member next referred to a Paper, laid on the Table of the House last year, containing two documents bearing upon the question. The first was a resolution adopted at a meeting of the Executive Council after Bishop Claughton had resigned his office, his Excellency Sir Hercules

Robinson being present. The resolution was to the effect that the Secretary of State be requested not to fill up the vacancy; that the ecclesiastical establishment was too small to require the services of a resident Bishop; that the Island was formerly under the diocese of Madras, and the Bishop of that See paid periodical visits, receiving State allowance, and exercising episcopal jurisdiction over it; and that with the present increased facilities of communication that arrangement could again be advantageously resorted to. The second document was a communication addressed to Lord Carnarvon by Sir William Gregory, the present Governor, in which he expressed his opinion that the salaries of colonial chaplaincies, as vacancies occurred, should be struck off the annual estimates, and he had not a doubt that local subscriptions, aided by the great religious Societies at home, would provide for an adequate Church of England ministration hereafter. It was to be regretted, observed the hon. Member, that Lord Carnarvon did not act on the recommendation of Sir William Gregory. His Lordship, with great ability and success had hitherto administered the affairs of the Colonies; but in this case it was to be feared that his ecclesiastical proclivities had interfered with his usual good judgment. The noble Lord had, besides, introduced a new element directly opposed to the expressed sentiments of his Predecessors and to the policy which had always guided the Government in relation to the Colonies, in the appointment of Bishop Copleston. Lord Carnarvon said—

> "I have submitted to Her Majesty the name of a clergyman who is, I trust, very highly qualified—alike by his opinions, his age, and physical constitution, as by his special disposition for missionary work among Indian races—for the continuance of that great work in which his predecessor has been cut short."

Now, he was not aware that the Colonial Office had formed itself into a missionary society, for "missionary work among Indian races," and had sent out a Bishop for that purpose. In the Duke of Newcastle's despatch it was stated distinctly that the sole—

> "object of an ecclesiastical establishment in Ceylon was to provide for the wants of the European members of the civil and military services."

Sir Hercules Robinson had well observed, in a despatch to the Earl of Kimberley—

> "It is felt that the post (of Bishop) is not absolutely necessary, and that if the selection for it were by any chance to fall upon a person less tolerant than Bishop Claughton, such an appointment might possibly be productive of sectarian strife and jealousy, and lead to much local unpleasantness."

The apprehension thus felt by Sir Hercules Robinson had, unfortunately, been fully realized. The appointment was a most unfortunate one. Of the "Boy Bishop," as he had been called, it might be well said—

> "Man, proud man,
> Dressed in a little brief authority,
> Plays such fantastic tricks before high Heaven
> As make the angels weep."

If anyone could have reconciled the several parties in Ceylon to the present state of things it was Bishop Claughton. He was deservedly popular with all classes. But Bishop Copleston had pursued a different course. Within a few months he insulted and stopped the mouths of the missionaries of the Church Missionary Society, some of whom had been toiling in the Island before the Bishop was born. Thus a blameless, exemplary body of Christian ministers found themselves suddenly overriden by arrogant pretensions, which no previous Bishop had dared to enforce. Other denominations with whom Bishop Claughton had been on the most favourable terms were treated with discourtesy and disrespect; the scandalous spectacle was presented to the heathen of the Christian Church divided into two hostile camps, and during the short time the Bishop had been in the Island, as had been well observed, "he had done more to degrade the English creed in the eyes of the Natives than the life-long labours of the inoffensive pastors he persecuted had done to render it honourable." In the Papers which had been submitted to the House there was a Petition from the Wesleyan missionaries to Sir William Gregory, which stated that the payment by the Government of certain sums under the head of "Ecclesiastical Establishments" was impolitic and unjust; that the effects of the Government providing pastors for the wealthy congregations of the towns, and the appointment of these pastors, from the revenue of the Island instead of the parishioners, were highly objec-

tionable on the grounds—(1) that by such appointments Government did by its agents directly enter upon missionary work; (2) that it was unfair to the efforts of that society, which had for more than 50 years laboured in those places, to be subject to the rivalry of Government competition; (3) that in some of those places their efforts to induce the Wesleyans to support their own ministers had been hindered by the fact that the Episcopalians had their ministers supported by the Government, although the Episcopal congregations were not at all in need of pecuniary aid. They also stated that it was contrary to public policy for the Government to engage in missionary operations; that many of the Government officials did not belong to any of the Churches subsidized by Government, and a most offensive slight was placed on all the religious Bodies not receiving Government favour. That memorial was signed by seven English and 28 Native ministers in Ceylon. Sir William Gregory forwarded it to Lord Carnarvon, who sent a reply to the effect that he was not prepared to authorize any change which should deprive the Church of England or the Presbyterian Church of that support from Government which they had hitherto enjoyed. A large and influential meeting had since been held in Colombo protesting against these subsidies, and a Petition to Her Majesty had been forwarded, bearing the signatures of 8,000 Natives, praying for their discontinuance. The Petition stated that in Ceylon the existence of an Ecclesiastical Department of Government was a direct violation of the principle laid down in Her Majesty's Proclamation, namely—

"That none be in any way favoured, none be molested and disturbed, by reason of their religious faith or observance."

The Resolution which he now submitted to the House stated that this subsidy inflicted great injustice and occasioned serious discontent. The injustice he thought he had proved; and as to the discontent, it was manifest not only from the Papers laid on the Table, but from other information received from the Island, a very strong feeling prevailed among all classes, except a few recipients of Government bounty. So far from accomplishing the object proposed by Lord Carnarvon, as a missionary establishment, it had had a directly opposite effect. The Natives designated Christianity thus taught as the "Queen's religion," regarding it simply as a Department of the Government. A very distinguished Native and a Member of the Legislative Council, Sir Coomara Swamy, in a very able speech delivered by him in the Council, remarked—

"I have been repeatedly asked, 'How is it Christianity makes such a little progress among your people?' 'That it should be so is natural enough,' I answer. 'Think of the manner in which it is presented to us. You come with the drawn sword in one hand and the Bible in the other. Who can believe it? Your conduct belies your professions. The chances of Christianity would have been greater if it had been preached in the country by men entirely unconnected with the Government, sympathising more with the people than with the rulers.'"

Similar views were expressed by Sir Charles M'Carthy, who said—

"Deeply convinced as I am that from the diffusion of Christianity alone any real progress or improvement could be looked for among the Native population, I yet must contend that Government, by acting as suggested, would only raise a barrier to the advancement of the Christian religion."

Now, he asked, what did the Government propose to do in relation to that question? The principle of religious equality almost universally prevailed in our Colonies, with the most satisfactory results. Why was Ceylon to be an exception? Would the Government disregard the strongly-expressed feelings of the whole community, from the Governor downwards? Did they wish to excite more dissatisfaction, and rouse the Natives as well as the Europeans to further agitation? What was the language of Sir Coomara Swamy in reference to the Petition from the Natives, to which some exception had been taken? He said—

"If the Council is not to be satisfied with such expressions of opinion as those embodied in it, how then shall we bring conviction to unwilling minds? Shall we hold monster meetings? Shall there be inflammatory speeches? Must there be commotion, and discontent, bloodshed, and other rebellion before official minds can be roused?"

If it was desired to diffuse a knowledge of Christianity among the Native population of Ceylon, that object would be best secured by voluntary effort. Had they really a right to levy a compulsory tribute upon the people to support a re-

ligion in which they did not believe? Would the Government, for the sake of so paltry a sum, act in direct antagonism to the almost universal feeling of the Island, or would they, by placing Ceylon on the same footing as their other Colonies as far as lay in their power, promote its peace, its happiness, and its prosperity? The hon. Gentleman concluded by moving his Resolution.

Motion made, and Question proposed,

"That, as the members of the Anglican and Presbyterian Churches in Ceylon constitute a small part of the population and the great majority of the inhabitants are Budhists, Hindoos, and Mahomedans, this House is of opinion that the payment out of the Revenues of the Colony of annual subsidies to the ministers of those Churches inflicts great injustice and occasions serious discontent, and ought, therefore, to be discontinued."—(*Mr. Alderman M'Arthur.*)

MR. BAXTER declared that in all his Parliamentary experience he had never known a better case for an alteration of the ecclesiastical arrangements of a Colony than that which his hon. Friend had just submitted to the House. In the population there were 2,000,000 not Christians, while the Christians numbered only about 250,000, the greater portion being Roman Catholics. The object to which the grants of money in question were originally applied was a very laudable one—namely, to provide religious instruction for the military in the Island. But now the money was not devoted to that purpose at all. It went in salaries to clergymen, the great majority of whose hearers were not soldiers, but persons perfectly able to pay for their own religious instruction. What was done in point of fact was this—clergymen were being provided for two or three thousand rich members of the Church of England, while the great bulk of the Protestant poor population, to say nothing of the Roman Catholics, were left to provide for themselves. It was notorious all over the Colony that the bulk of the members of the Church of England preferred the services of the missionaries of the Church Missionary Society to those paid by the State. The Natives of Ceylon were actually taxed to support missions for their own conversion, and however much he might sympathize with missionary effort when properly directed, he felt bound to say that he knew of nothing more likely than that to prejudice Christianity in the eyes of the Cingalese people. There was a widespread hostility to these grants in the Island—a hostility which was not by any means unshared by members of the Anglican Church. That hostility had been expressed on various occasions in the Legislative Council, and he was sorry to see as one phase of it a disposition on the part of certain of the Natives, in consequence of these grants, to doubt the sincerity of Her Majesty's Proclamation in favour of neutrality and religious equality. The advice of Sir William Gregory to cease filling up vacancies as they occurred was wise advice, which he hoped the Government would consider. As showing the gravity of the situation, he was told that a Petition was coming home from India on the subject of the annual payments to Anglican clergymen in Hindostan. He hoped the Government would take time by the forelock and remove gradually causes of discontent which might lead to serious difficulties hereafter.

MR. J. G. TALBOT admitted that, so far as figures were concerned, the case presented to the House was a good one. He was not prepared, however, to accept the hon. Member's conclusion that the existence of an endowed Church ought to be dependent upon numbers. He had always protested against that argument in the case of the Irish Church, and he must now protest against it in the case of Ceylon. Something had been said about pensions to Bishops. It was, no doubt, true that at one time three Bishops were receiving pensions for work they had done. But the health of those Bishops having broken down in the Colony, he did not see any reason why, because of the particular functions they had filled, they should be deprived of their pensions. The failure of their health was no doubt an unfortunate occurrence; but the calamity might have happened to ex-Judges or ex-Governors as well as Bishops. The particular position filled by the Bishops did not, he thought, add much to the argument of the hon. Gentleman. The opinion of Sir Hercules Robinson had been quoted. Now Sir Hercules was no doubt a very good Governor, but he did not know that he was a very good authority on ecclesiastical matters. He had suggested that if the Bishop of Colombo were withdrawn the Bishop of Madras should receive Episcopal charge of the Island of Ceylon.

Now, there could be no doubt that the Indian Bishops had a great deal too much to do already. And as some proof of this two additional Bishops had recently been given to Madras. As, however, Sir Hercules Robinson had been quoted, it was well that his mature conclusion should be known: and it would be found that it was by no means in favour of the views of the hon. Gentleman opposite. Sir Hercules Robinson had, no doubt, protested strongly against the continuation of the Colombo Bishopric; but, like other great men, he was open to conviction, and he found that in writing to the Earl of Kimberley, on the 14th of November, 1871, he said—

"My own opinion is—that a Bishop of the Church of England is not indispensable here; but that, so long as the Colony maintains from the general Revenue, as it does at present, a number of Episcopalian Chaplaincies, it is desirable that there should be a head of the Department, and that in the present flourishing condition of the finances the difference between the salary of an Archdeacon and of a Bishop is a matter of but little importance. So long, therefore, as the present State allowances to the Anglican clergy are continued, and so long as the right man can be found for the place, I think the additional expenditure entailed by maintaining the Bishopric is well invested in a social as well as in an official point of view. I have known Archdeacon Jermyn intimately for a number of years, and I am satisfied that it would have been difficult for your Lordship to have selected any person more suited than he is in every respect for the post which has been vacated here by Bishop Claughton's resignation; and now that the nomination is announced, I think the general feeling is one of satisfaction that the appointment has been filled up."

It would therefore be seen that Sir Hercules Robinson admitted that when the appointment of Archdeacon Jermyn was made it gave general satisfaction. The hon. Member had used an expression which he hoped on reflection he would be inclined to modify—he spoke of the English Government "taking the sword in one hand and the Bible in the other." That was an exaggeration of language which he trusted hardly any hon. Member would endorse. [MR. ALDERMAN W. M'ARTHUR explained. He had quoted the expression used by Sir Coomara Swamy, a Member of the Legislative Council of Ceylon.] He would only say he thought that anyone who used such an expression was not an authority that House would follow. He could not admit the validity of the argument which had been used against the continuance of the Colombo Bishopric, because an agitation was said to have commenced in Calcutta for the disestablishment of the Church in India. The same argument was used in the case of the Irish Church—if it were not disendowed, it was said, people would call out for the disestablishment of the English Church. He would not give way to such an argument. He was rather disposed to act on the old Latin maxim—*principiis obsta*. He regretted that the hon. Member had dragged into the discussion a personal matter relating to the present Bishop of Colombo. He stated that the first act of Bishop Copleston was to suspend the missionaries of the Church Missionary Society. Now, that statement was incorrect. The Bishop had, unfortunately, differences with the missionaries of the Church Missionary Society, who were endeavouring to establish an improper Episcopal authority. The step he took was simply with a view to maintain Episcopal authority, and when so much was said by certain parties of the duty of the clergy in this country to be subject to their Bishops he did not think that this act of Bishop Copleston ought to have been misrepresented as it had been. The statement was most exaggerated. The Bishop did everything he could to prevent the unhappy conclusion which had been brought about, and it was his greatest desire that all the missionaries of the Church Missionary Society should work in harmony with himself. He hoped the House would not agree with the Motion. It would give a blow to Christianity in the East. The Natives of Ceylon would think that a nation which valued its Christianity would set it forth in public places; and if this Resolution were carried into effect they would soon come to the conclusion that England had ceased to be a Christian nation, or at least a nation which cared about its Christianity.

SIR GEORGE CAMPBELL said, he wished to explain the principles which were always followed by the Government of India in regard to ecclesiastical establishments. There was a very large number of European servants performing duties in India, who were in a position in which they had no private means of obtaining the consolations of religion or the care of medical men. The Government, therefore, found it necessary

to provide both clergymen and doctors in sufficient numbers to attend to the wants of their European servants. That was the principle followed in India, and it was only in pursuance of it that a certain amount of the clerical and medical element was retained by Government there. It was said that the cry in India was that there were not too many Bishops, but too few, and that there was a necessity for an increase. In particular, it was said in the diocese of Madras that people were not satisfied with the Bishop they had already, but they had lately established other two. Those were not Government Bishops, but Missionary Bishops, established for missionary purposes which the Government did not undertake. So far as the Bishop of Madras was concerned, he undertook to say that that right rev. Prelate was not, for the special purpose for which he was appointed, an overworked man, and he might superintend Ceylon without any very large addition to his labours. In respect to the remaining questions raised by the Motion, he was not well acquainted with the affairs of Ceylon itself. He hoped when the Government came to deal with the matter they would be prepared to tell the House that they were desirous of dealing with it in connection with Ceylon exactly as it was dealt with in India—namely, that the Government themselves would provide a superintending Bishop and a sufficient number of chaplains to provide for the necessities of the Government servants, and the Government servants only. He thought it was not right to contribute out of public revenues for the maintenance of an ecclesiastical establishment beyond that which was required for administering to the necessities of the public servants. If the Establishment in Ceylon did partake of that character, he thought the earliest opportunity should be taken to reduce it within a standard that would correspond with that which was retained in India.

MR. J. LOWTHER held that the hon. Member who had brought this subject before the House had failed to show the existence of any practical grievance. The population of Ceylon was somewhat less than 2,500,000, and the total sum expended in the services to which reference had been made was only £14,000, or about 1*d.* per head. That, certainly, was not a very crushing taxation, and was borne by all classes of the population varying in religious belief. The hon. Gentleman had quoted in support of his views many eminent authorities. But if he were to make known the opinion of many persons as eminent on the other side and as well qualified to form a judgment, he might, at the risk of wearying the House, go somewhat into the controversy. But the House, while paying every respect to the opinions of those eminent persons, would hardly be disposed to look to them for guidance on a question like this. The hon. Gentleman said that Sir William Gregory especially and Sir Charles M'Carthy were in favour of disestablishment. The right hon. Member for Montrose (Mr. Baxter) said that Sir William Gregory had quoted as a precedent the disestablishment of the Irish Church. He would like, however, to point out the exact position in which Her Majesty's Government stood with regard to that question. There was no doubt that the disestablishment of the Irish Church had commended itself to a large majority of the last Parliament. The present Government certainly could not be charged with having embarked on any re-actionary policy. Those who constituted that Government had not attempted on any occasion to go back upon the great subjects which had been determined by their predecessors. But he must demur to the doctrine which had apparently been laid down, that they were bound to continue that course and to carry out all over the world a policy which it was notorious every Member of the present Government—and he ventured to think a large majority of this House of Commons—emphatically condemned. The hon. Gentleman (Mr. M'Arthur) had alluded to the policy of the late Government with regard to Colonial endowments. What was that policy? During the administration of Lord Kimberley at the Colonial Office various Colonies were subjected to schemes bearing on this question. But how were they dealt with? In some a policy was adopted which the hon. Gentleman would hardly endorse—namely, what was popularly known as "levelling up;" in others a policy of complete disendowment was effected. But he would remind the House that in all the cases to which he now referred the circumstances were widely different from those

which existed in Ceylon. Notably, in Jamaica, Trinidad, the Leeward Islands, and others with which Lord Kimberley had to deal, there was not a large mixed population professing various forms of non-Christian religion; but the difficulty he had to meet was that of Christian communities, divided, for the most part, into Roman Catholics and Nonconformist Protestants; and the manner in which they were dealt with offered very little to guide us in approaching a subject like this. There was another point on which he thought the hon. Gentlemen had entirely failed. The hon. Member had spoken of assimilating the policy to be adopted in Ceylon with that which prevailed in all the different Colonies under Her Majesty's sway; but he (Mr. Lowther) hoped the House would not be led to believe that the policy of disestablishment had been already extended to the great bulk of the Colonies. Nothing of the kind had occurred. In certain exceptional instances this policy had been initiated. It was initiated previous to the accession of the Members of the present Government to office. In those instances where it had been deliberately adopted by their predecessors the present Government had not attempted to interfere; but they certainly had no intention of proceeding further in a direction which had not commended itself to their judgment. The hon. Gentleman had stated that the part of the population which derived an advantage from these endowments was well to do, that they drove to their places of worship in carriages; in fact, that they formed a portion of that class referred to by Mr. Carlyle under the designation of "gigmanity." But the hon. Gentleman, he hoped, did not mean that the House ought to embark on a course of policy on account of the social position of those to whom it might apply. He thought, however, if the hon. Gentleman would carry his researches a little further he would find that a considerable portion of those who derived benefit from these endowments were not in a position to contribute towards religious rites for themselves. The right hon. Member for Montrose (Mr. Baxter) said that the rest of the inhabitants of the Island, with the exceptions mentioned by him and the hon. Member for Lambeth, had to provide for their own religious services. Was that the fact? The right hon. Gentleman very likely was not aware that the Budhist community were possessed of no fewer than 376,000 acres of land for that purpose. [Mr. Baxter said he had referred only to the Christian population.] It was right, at all events, that the House should be aware of the fact that this large extent of land was vested in the Budhist community; it was called the "Temple land," was held under grants, and had been guaranteed to them by the British Government on taking possession of the Island. When it was found that three-fourths of the population were Budhist and were largely endowed, it could hardly be said that the wealthy portion of the community were placed in an invidious position with regard to their poorer brethren in consequence of the endowments to which the hon. Gentleman had called attention. The hon. Gentleman quoted the language used by a member of Council. The language of that gentleman certainly compared very unfavourably with the studied moderation with which the hon. Gentleman himself brought forward this subject. The advice of that gentleman to his fellow-subjects reminded him of the somewhat similar advice—"Don't nail his ears to the pump." There was no reason to believe, however, that in that loyal portion of Her Majesty's dominions there was the slightest danger of hints of that kind being followed up. He should like to call the attention of the House to the precedent which would be established by adopting the Motion of the hon. Gentleman. It would be impossible to confine that policy to Ceylon; and the question of disestablishment would arise with reference to Colonies like Natal, Hong Kong, the Mauritius, British Honduras, and even India. Towards the end of the hon. Member's speech he referred to some differences which had occurred between the Bishop of Colombo and the missionaries of the Island. Now, the Bishop was in no sense a servant of the Government. He did not stand there as in any way responsible for the proceedings of the Bishop; and if he (Mr. Lowther) avoided expressing any opinion on his proceedings, the House must attribute it to his desire not to bark when he was unable to bite. He was happy, however, to think that the present condition of affairs, which was that with which the

House had solely to do, was far more satisfactory than some speeches which had been made would lead hon. Members to suppose. He had heard from a private source that the Bishop was at present in every way conforming himself to the situation in which he was placed, and that the unfortunate differences of the past would not recur. Exception had been taken to the character and method of the missionary work. He would not stand up for proselytizing; but the House would agree with him that placed as the British power was in the midst of a large Native population, the existence of a Christian ministry could not but conduce to the welfare of the Island.

MR. KNATCHBULL-HUGESSEN had heard the speech of the Under Secretary for the Colonies with mingled surprise and regret. These discussions were never very pleasant to the House; but he thought his hon. Friend might have taken advantage of the opportunity before him. He thought that a decidedly strong case had been made out; that it would have been satisfactory if the advice of Sir William Gregory had been followed, and these endowments suffered gradually to disappear. The hon. Member for West Kent (Mr. Talbot) had expressed his approval of a Bishop "in active operation;" but this phrase, as far as the Bishop of Colombo was concerned, appeared to imply the suspending of his clergy and causing a general unpleasant state of feeling in the Island. It had been said that the policy of the late Government had been a policy either of levelling up or of disestablishment: when the exigencies of a Colony seemed to demand the latter policy, it had been followed, but all that had been done in the shape of "levelling up" had been this—that where it had seemed best to maintain endowments there had been some attempt to make them equal as between different religious bodies. The Under Secretary had contradicted himself, for he had first said that there were exceptional circumstances to justify the endowments in Ceylon, and immediately afterwards declared that if we abolished these endowments it would be necessary to apply to other Colonies the same treatment as that received by Ceylon. Then it was said, why did you not do this when you were in office? He (Mr. Knatchbull-Hugessen) thought that hon. Gentlemen opposite had given the late Government credit for having done enough in the way of disestablishment; but the fact was that a blot was not a blot until it was hit, and everything could not be done at once. This was a question of right or wrong, and no greater mistake could be made than to refuse to do that which was right in one case for fear of having to do so in other cases with respect to which one was less confident. Give a remedy for an acknowledged evil, and let the future take care of itself. It was quite fair to defend the principle of establishment; but to his mind establishment was justified only when the Established Church was either the Church of the great majority of the people or was supported by the public opinion of the country in which it existed. Neither of these conditions existed in Ceylon where the Church was rendered inefficacious and Christianity hindered by the inequality and injustice of the endowments. The Under Secretary had spoken of the Budhists being endowed. Was that a fair argument? The only foundation for it was that we had not plundered the Budhists of the property which they possessed when we took the Island. Ceylon had a population of more than 2,000,000, of whom only about 250,000 were Christians. Of these, nearly 200,000 were Roman Catholics who received the magnificent sum of £100 per annum out of the £14,000 or £15,000 of endowment. The remainder went to about 15,000 of the rest of the Christians, some receiving no money at all, so that the system was unjust and unequal, first as between the Christians and the Native population, and, secondly, as between the different sects of Christians. He could not do otherwise than cordially support the Motion, and he believed that the existence of these petty establishments in defiance of the public opinion of the localities in which they existed, did more harm than good to the principle of establishment at home.

THE CHANCELLOR OF THE EXCHEQUER said, he thought that many of the remarks that had been made were rather wide of the subject. The Resolution said—

"That, as the members of the Anglican and Presbyterian Churches in Ceylon constitute a small part of the population and the great majority of the inhabitants are Budhists, Hin-

doos, or Mahomedans, this House is of opinion that the payment out of the Revenues of the Colony of annual subsidies to the ministers of those Churches inflicts great injustice and occasions serious discontent, and ought, therefore, to be discontinued."

That was laying down the principle that, however necessary it might be to maintain any religious establishments in countries where the majority of the population were not Christians, one had no right to take any part of the revenue of the country for that purpose. That proposition would clearly cover the case of India, where it was always thought right that an Establishment should be maintained for the benefit of the Europeans in that country. But it could not be maintained that it was wrong to take any part of the Indian revenues for that purpose. The House would consider that this was a very broad assertion and that it really covered the case of every Colony; and he hoped that, under these circumstances, the House would be very slow to adopt a Motion of the character of that which was now before it.

MR. GRANT DUFF said, that before they went to a division, he just wished to say that he did not think the hon. Gentleman the Under Secretary of State for the Colonies quite did justice to the speech of a Native Member of the Ceylon Legislative Council to which allusion was made. He thought that speech was a very remarkable one on the whole, and as he laid it down he said to himself—"When Natives of Ceylon take to making speeches in the English tongue which show so full an acquaintance with the best thought of the day on the subjects about which they speak, as well as with what has been passing in this House, it is high time to give up supporting any institution in that Island which cannot be defended by argument;" and he put it to hon. Members on both sides of the House who had listened to this debate—Could the existing ecclesiastical endowments in Ceylon be defended by argument?

MR. ALDERMAN W. M'ARTHUR had hoped that the Under Secretary of State for the Colonies would have given the House some assurance that the present state of things would not long continue, as the existence of the subsidy of the State Church produced at present a great deal of dissatisfaction in the Island. In consequence of the Under Secretary's reply he felt bound to divide the House upon his Resolution.

MR. GREENE said, he should vote against the Motion, but thanked his hon. Friend the Member for Lambeth for bringing the conduct of the Bishop under the notice of the House.

Question put.

The House *divided*:—Ayes 121; Noes 147: Majority 26.—(Div. List, No. 103.)

IRISH LAND ACT, 1870.

MOTION FOR A SELECT COMMITTEE.

MR. SHAW LEFEVRE, in rising to call attention to the forty-fourth, forty-fifth, and forty-seventh Clauses of "The Irish Land Act, 1870," for promoting the purchase of land by occupying tenants; and to move for a Select Committee to inquire into the working and results of the forty-fourth, forty-fifth, and forty-seventh Clauses of "The Irish Land Act, 1870," and to report whether any further facilities should be given for promoting the purchase of land by occupying tenants, said, he had thought it desirable to introduce this subject in order to elicit the views of the Government upon it. He had the other night ventured to propose this as an alternative Motion to that of the hon. Member for Tralee (the O'Donoghue); but as the House rejected that Motion by a very large majority, his proposal now became a substantive proposal, to which he trusted hon. Members from Ireland would give their support. His attention had been directed to the subject mainly by the Returns of the landowners in the two countries of England and Ireland, and, in his opinion, those Returns were well worthy of the attention of the House. In the case of Ireland they had before the House Returns prepared by the late Government at the time that the Irish Land Act was under consideration, and they showed that the total number of landowners in Ireland was not more than 19,000, and the comparison of this number with the landowners in England was worthy of consideration. The English Return showed that, on the whole, there were about 170,000 landowners holding over one acre of agricultural land. In England there was a landowner to every 130 of the population, while in Ireland the proportion was one to every 315 of the population. The comparison became the more remarkable if they included

only the rural parts of England. Ireland was essentially a rural country; and if they made the comparison with the rural parts of England the number of landowners was very much smaller. There were in Ireland also, he found, no less than 600,000 small farmers, occupying an average of 34 acres, and 138,000 holding an average of 12 acres. Now, all the experience of the Continent went to prove that it was only when the occupation of small farms was combined with ownership that the best results were secured. It was the magic of property which, in the opinion of the great agricultural writer, Arthur Young, gave sufficient inducement to the small owner so to cultivate his farm as to produce the best result. Ireland was, therefore, a country in which they could have expected to find a large number of small owners established. In fact, there was no country in the world where there were so few small proprietors. Two efforts had been made by Parliament in that direction—the first under the Irish Church Act, the second under the Irish Land Act. Under the former Act it was provided that the tenants of Church property amounting to about 200,000 acres should have the right of pre-emption of their farms at a fair price, and considerable facilities were given under the Act for such purchases. The intention of the Legislature in that respect had been, it seemed to him, from their Reports, very judiciously carried out by the Irish Church Temporalities Commissioners. They had brought the subject home to every tenant of Church property in Ireland, and the result had been that a very large proportion of them had purchased their farms. Out of a total of 8,000 no less than two-thirds had become purchasers, and of these two-thirds 1,800 had, he found, paid the purchase money in full. The Commissioners further stated that a great many of the tenants had received from friends in America money in order to complete their purchases, which had, it was added, realized a full and fair price at 23½ years purchase, while land sold under the Incumbered Estates Court had brought only 20½ years purchase. In that way no less than 5,000 new landowners had, it appeared, been added to the total numbers in Ireland. Now, turning to the other experiment made in this direction, he came to those clauses of the Irish Land Act which went by the name of his right hon. Friend the Member for Birmingham (Mr. John Bright), and which had been conceived in the same spirit as those of the Church Act. In the case of the Land Act the terms offered to the tenants were not quite so favourable. Only two-thirds of the purchase-money, and not three-fourths, as in the other case, was permitted to remain on mortgage, but the rate of interest was 3½ per cent, instead of 4. During the six years since the passing of the Act the number of purchases under those clauses had been only 456, of which no less than 151 had arisen out of one transaction—that of the sale of the Marquess of Waterford's estate to his tenants. Yet during the same period no less than £6,000,000 worth of property—the rental amounting to £450,000—had been sold by the Incumbered Estates Court. That was more than double the amount of the Church property. The result was that while no less than 75 per cent of the Church property had been sold to the occupying tenants, in the case of the Land Act there had been only about 6 per cent. This being the state of the case, he thought he was justified in saying that the clauses of the Land Act had, to a great extent, been a failure. He did not attribute this result to the difference in terms he had already mentioned, but rather to the plan which had been adopted by the officials of the Incumbered Estates Court. The Church Commissioners had done everything they could to facilitate the operation, and had gone direct to the tenants. In the other case, so far as he could make out, no facilities whatever had been given. The tenants had been left to find out as best they could what they ought to do. They had been obliged in consequence to employ lawyers, or other agents, and to incur expense in other ways. Moreover, instead of the farms having been put up for sale in a manner convenient to the tenants individually, they had been offered in lots of, perhaps, eight or ten together, and the tenants had been obliged to combine and make a common purse in order to get the property. This was a process which, on the face of it, appeared impracticable. He had no doubt it was from this want of facilities for buying single farms that the whole operation had broken down. It appeared to him there was no necessity for selling the

land by auction, and that the proper course would be to offer it to the tenants individually at upset prices slightly above what would be obtained in the open market. He believed the officials of the Court would have no difficulty in arranging with the landlord as to the price, and that the tenants were willing to pay something over the market price. By such means, he thought, effect would be given to the clauses of the Act. Almost all the cases of hardship which were sometimes quoted by Irish Members had arisen, he found, in connection with lands recently sold through the Incumbered Estates Court. The reason was obvious. So long as the lands remained in the possession of the old families, they were managed according to the traditional method, the landlords feeling themselves bound to observe the customs of the country. When estates were sold through the Incumbered Estates Court at enhanced values, landlords felt justified in raising the rents, thus practically confiscating the improvements made by the tenants. He knew the occurrence of these hard cases was denied; but the clauses of the Land Act were passed on the assumption that there were such cases, and he hoped that since the passing of the Act they were reduced in number, while it was clear that if the clauses had been passed 25 years ago hard cases that had occurred might have been prevented, because so much more land would have passed into the hands of tenants. If similar principles had been adopted in the sales by the Landed Estates Court as had been followed by the Church Commissioners, the number of landowners in the country would have been greatly increased, because farmers would have been turned into landowners. The more extended adoption of the principle might be advocated as a Conservative measure introducing a fixity of tenure to which no objection could be made. He trusted the Government would consent to his Motion.

MR. PLUNKET said, that he did not rise to oppose the Motion, but to say that he had always thought that the clauses which were so honourably connected with the name of the right hon. Member for Birmingham (Mr. John Bright) were founded on a very wise policy, and that he had seen with regret that they had not been so effective as was expected when they became law. He would offer no suggestion as to whether the failure of those clauses was due to any one cause more than to another; but he would express a hope that the Government would grant the Committee, and that, as regarded the clauses which had been referred to, means would be found to give effect to that wise and safe policy which was to be found in the Land Act.

THE O'CONOR DON also expressed a hope that the Government would be able to accede to the Motion of his hon. Friend the Member for Reading. He believed that nothing would tend more to the tranquillity of Ireland than the establishment of a considerable number of persons who would be interested in the land, as owners as well as occupiers, and anything that would tend to increase the present number was a subject well worthy the consideration of that House. He was surprised that more advantage had not been taken of the clauses of the Act; but he believed that a good deal of it was owing to a want of knowledge amongst the people as to how they were to proceed to purchase.

MR. FAY said, he thought the clauses had failed through want of appreciation on the part of the tenants, although they favoured the creation of a so-called peasant proprietary consisting of farmers, who found one-fourth of the purchase-money and borrowed three-fourths from the gentry of the neighbourhood. When a proprietor got an indefeasible title with his land he obtained advantages from the State for which he ought to give something in return. He had himself made an offer on behalf of 80 tenants for land on the Wicklow Mountain estate. It was bad land, yet they offered 28 years' purchase for it in order that there might be no doubt about its acquisition. At that price it would not have paid more than 3½ per cent, but a nobleman who wanted it for shooting purposes offered 30 years' purchase, and his offer was accepted. Those men desired to become peasant proprietors, and they incurred great sacrifices to raise one-third of the purchase money. This showed a deficiency in the working of the Act. It seemed to him that in such a case if one or two years' purchase were lost to the owner, it would not be too great a price to pay for the Parliamentary title given under the Act.

SIR JOSEPH M'KENNA believed that the farming classes, notwithstanding that Amendments were very desirable for the extensive application of the Act, would have availed themselves more extensively of the Bright clauses if they had been more thoroughly understood. It might be true that the clauses in the Church Act had been occasionally worked for the benefit of speculators rather than of tenants; but the Committee might suggest the means of putting a stop to such practices if they were carried to a vicious extent. He trusted the Chief Secretary for Ireland, who had been so anxious to promote the well-being of that country, would agree to the Motion.

CAPTAIN NOLAN wished to explain, in justice to the Irish Members, that it was only by an accident that a proposal of this kind had not been earlier brought before the House. The late Sir John Gray attached great importance to this question, and in the year 1874 brought in a Bill to extend the power of tenants to purchase land under these clauses. Unfortunately, the hon. and gallant Baronet the Member for West Sussex (Sir Walter Barttelot) put a Notice on the Paper which brought the Bill under the half-past 12 o'clock Rule and it could not be brought on. Sir John Gray shortly afterwards died. He was glad to see the matter now taken up by an English Member, as he saw no ultimate solution of this question, except on the one hand a conflict between landlords and tenants, or else the creation of a considerable number of small proprietors. The number of proprietors in Ireland was smaller in proportion to the pecuniary value of the soil than in England. His own idea would be that the Government should advance money at a somewhat lower rate, and so as to enable the tenant to pay during a period of years what he could not pay down at once. The Motion if carried would not injure the proprietors of land, and he hoped the Government would accede to it.

MR. W. JOHNSTON said, he was very happy to find that the Government did not intend to oppose the Motion, and he was glad that this particular portion of the Act was to be referred to a Select Committee. There were many Members on the Conservative as well as the Liberal side of the House who wished to do justice to the Irish tenants; while, at the same time, there were Gentlemen sitting on the Conservative benches who would resist the extravagant demands which were sometimes made on behalf of tenants, but probably without their consent.

MR. CHARLES LEWIS said, he thought few things could be more important, as far as the well-being of Ireland was concerned, than to take steps consistent with the safety of the public funds for the purpose of enabling tenants under the Church Act and the Land Act to become the owners of the land which they occupied. He hoped, therefore, no obstacles would be opposed by the Government to the granting of the inquiry which was asked.

SIR MICHAEL HICKS-BEACH said, he thought no one who had carefully considered the question could doubt that it would be advantageous to Ireland that the number of persons possessing a proprietary interest in land should be considerably increased. It was intended to bring about this result by the Land Act of 1870 and the amending Act of 1872; but it must be admitted that the clauses framed for this particular purpose had failed to a certain extent, though not quite so much as might be supposed from the figures already quoted showing the number of purchases. Confining himself to those cases in which purchases had been made by tenants with the aid of advances from the Board of Works, he found a very considerable increase in the year ending 31st March last, as compared with the previous year. The total number of cases given in the last Report of the Board of Works, as having occurred from the time the Act came into operation up to March 31st, 1876, was 456, the amount of purchase-money was £476,000, and the amount which the Board advanced was £281,000. But, adding the transactions up to 31st March last, the total number of cases was 574, the total amount of purchase-money was £598,773, and the total amount advanced by the Board of Works was £357,548. This showed, at least, that there was increased progress during the last year. A point of considerable interest was the great difference between the number of applications and the number of loans actually made, a difference which ought to be inquired into. It might be that there was something in the conditions exacted which was too

hard for the tenants to accept; but he thought the fact was mainly due to the circumstance that tenants, after applying, failed to provide the proportion of the purchase-money which it was necessary they should provide in order to entitle them to loans from the Board of Works. He could not think that the charges made against the Incumbered Estates Court were entirely fair, because, as far as he had been able to ascertain, he believed that whenever a property was ordered by the Court to be sold, due notice was given to the tenants both as to the fact and as to the conditions under which they might purchase the property. The 46th section of the Irish Land Act provided that the tenant was to have notice when his farm was to be sold, and he did not think that it could be alleged that those who were required to give such notice had failed to discharge the duty imposed upon them by that section. He would now proceed to the other reasons which, so far as he could judge, had really hindered the operation of the sections of the Act to which he had referred. The main reason appeared to him to be that the persons who were now the occupying tenants in Ireland did not as a rule desire to buy their farms. The fact was that those persons were so contented with the position of tenants that, though willing to give extraordinary sums for the right of occupation, they did not care to, as it appeared to them, unnecessarily waste their funds by purchasing the freehold. This, at all events, was the conclusion that must be drawn from the fact that the Irish tenants had not to any large extent availed themselves of the facilities offered to them of borrowing money to enable them to purchase their farms. In these circumstances, therefore, he was afraid that any reasonable proposals for the amendment of these sections which might result from this inquiry would not have much effect in extending their operation. He did not gather from the speech of the hon. Member for Reading that any very sweeping alterations in the provisions of the Land Act were contemplated by him. He felt that the hon. Member would agree with him that under any possible legislation on the subject they should secure, in the first place, that there should be no interference with the freedom of landlords who might be desirous, in the ordinary way, of disposing of their property. With regard to estates sold in the Incumbered Estates Court, care should be taken that their full value was realized, and that the tenant should pay the fair market price for his holding, while ample security should be given to the Government for the money advanced to the tenant to enable him to purchase his farm. Bearing these principles in mind, he had no objection to the removal of any obstacles that might exist to the wider operation of the sections of the Land Act which had been brought under their notice. The hon. Member desired that a Select Committee should be appointed to inquire into the subject. He was bound to say, as he had before stated, that he was not very favourably disposed to any large inquiry into the operation of the Irish Land Act at a period not very remote from its having been deliberately settled by Parliament. But he did not see that the proposal before the House was open to objection on that ground, inasmuch as the hon. Member had carefully limited the scope of the inquiry. The hon. Member had certainly shown that the sections in question of the Land Act had failed in producing the results which their authors might have expected from them, and had shown such a practical knowledge of the subject that very valuable suggestions might well be anticipated from the inquiry which he desired. He did not think, therefore, that he was in any way opening up a question as to the finality which must be held to apply to the great principles upon which the Land Act was based by assenting to this inquiry, which he trusted would result in showing that the Act had been fairly worked by those bodies to whom its carrying out had been entrusted, and in conducing still further to the contentment and prosperity of the country.

MR. BUTT said, he was happy to hear that the right hon. Baronet had acceded to this Motion. Without intending to enter at length into a discussion upon this subject, he wished to fairly warn the House against attaching an exaggerated importance to the effect likely to be produced by an amendment of these clauses. There was this marked distinction between the powers entrusted to the Church Commissioners and those entrusted to the Landed Estates Court—

that the latter were unable to offer the tenant his holding at a certain price, but were bound by law to set the estate out in lots to be sold by auction. It might, therefore, well be made a matter for inquiry whether the Landed Estates Court should not have conferred upon it the power to offer the tenant his holding at a certain fair but fixed price. He believed that every difficulty that red tape could devise had been thrown in the way of the Irish tenant borrowing the money for the purchase of his land, and that was also a point that ought to be inquired into. When they had done all this and had given every facility they must not imagine that they touched more than the hem of the garment. The question raised to-night would not touch the case of the great bulk of the Irish tenantry, because not one in a hundred of the Irish tenants would be able to purchase his holding even if the opportunity of doing so were afforded him. He entirely agreed with the statement of the right hon. Baronet that there was no great anxiety on the part of the Irish tenant occupiers to become the purchasers of their holdings; they did not appear to possess any of the pride of ownership. It might be that in the North of Ireland there was a desire on the part of the tenants to become the freeholders of their farms, but that was not the case in the rest of the country. The great bulk of the Irish tenants wished undoubtedly for fixity of tenure; but for some unexplained reason they would almost rather pay a rent—a small rent—provided they were perfectly secure in their possession, than become the absolute owners of their holdings. It might be from want of education, or perhaps it might be owing to the traditions of an older system, or to the want of independence resulting from years of oppression; but the fact remained, which he admitted with regret, that the people of Ireland took no manly pride in becoming their own landlords. He regretted this the more because nothing could be of more value to the country than the existence of a large body of independent landed yeomanry. He would impress the House that, in taking the present course, they were but touching the fringe of the land question.

MR. BIGGAR said, that the doctrine which had been laid down that tenants in Ireland had no wish to become owners of their holdings was one to which he could not subscribe, nor could he allow it to be made without a challenge. That tenants did not become buyers of their holdings was due to other causes. If the Landed Estates Court would put a fixed price upon the lots, and the tenants knew they could have their farms at that price, he believed a great majority of tenants would avail themselves of the opportunity. If the land was sold in smaller lots he believed that there would be plenty of purchasers among the tenant-farmers, and more money obtained.

MR. PARNELL also dissented from the views expressed, that the tenant-farmers did not desire to become owners; on the contrary, he thought that if a fair opportunity of purchasing their farms was presented to them they would embrace it with the utmost eagerness, and one of the results of the inquiry would be to show the truth of that. The hon. and learned Member for Limerick (Mr. Butt) said an inquiry into the operation of the "Bright" clauses would but touch the hem of the land question, and that was so. He did not know what the proceedings of the inquiry might be; but he firmly and strongly believed that whatever the endeavours of the right hon. Gentleman might be, the question would never be settled on any other basis than that of giving to the Irish people the right and liberty of living on their own farms as owners.

MR. D. TAYLOR thanked the Government for acceding to this inquiry, because he believed that the position of the tenants in Ireland could be much improved without interfering with the owners of the soil, and if greater facilities were given for the purchasing of land in Ireland it would occasion its increased value in the market. Bright's clauses had not been taken advantage of to the extent it was perhaps thought they would have been, but that had arisen very much from the difficulties the tenants had in arranging for loans, which frequently were very small indeed. From what had fallen from the right hon. Gentleman the Chief Secretary for Ireland, he believed he was willing to make the inquiry a thorough one, and he hoped it would be carried as far as possible. One thing which should induce the Government to go as far as

they could was the fact—he believed he was correct in saying so—that in all the advances made to Irish tenants there had never been a defaulter in paying those advances. That would show that whilst there was a desire to acquire land, there was also every effort made to carry out their engagements in connection therewith. He held strongly to the opinion that it was for the interest of Ireland and a matter of importance that land should be held by two classes of proprietors—a class of proprietors owning their own farms and a class of large owners. On the large estates the tenants were, as he knew, contented and comfortable, and between them and their landlords the best feelings existed; but it was on smaller and incumbered estates that the position of the tenant was unsatisfactory. No doubt as greater facilities were given to tenant-farmers they would hasten to seize the opportunity of becoming owners. Thanking the Government for granting the inquiry, he expected from it good results.

MR. SHAW LEFEVRE thanked the Government for assenting to the Motion. He was glad the Government had recognized the present position of the tenants as not satisfactory. With regard to the declaration that had been made that the tenants did not desire to become owners, he believed that was true in the case of large and old established properties, where the tenants were certain of the traditional customs of the country being carried out. But in the case of estates where there had been a change of proprietors in consequence of a sale under the Incumbered Estates Act, he believed the tenants would be anxious to purchase the land they farmed if they were able to avail themselves of the facilities which, under the Land Act, it was intended to offer them.

Motion *agreed to.*

Select Committee *appointed*, "to inquire into the working and results of the forty-fourth, forty-fifth, and forty-seventh Clauses of 'The Irish Land Act, 1870,' and to report whether any further facilities should be given for promoting the purchase of land by occupying tenants."—(*Mr. Shaw Lefevre.*)

And, on May 31, Committee *nominated* as follows:—Mr. PLUNKET, Mr. JOHN BRIGHT, Mr. HEYGATE, Mr. BRUEN, Mr. LAW, Mr. WILSON, Mr. BUTT, Mr. PLUNKETT, Mr. DOWNING, Sir WALTER BARTTELOT, Captain NOLAN, Mr. CHAINE, Mr. ERRINGTON, Viscount CRICHTON, The O'CONOR DON, Mr. VERNER, Mr. RICHARD SMYTH, Mr. MULHOLLAND, and Mr. SHAW LEFEVRE:—Power to send for persons, papers, and records; Five to be the quorum.

And, on June 5, Mr. FAY *added.*

June 6, Colonel TAYLOR *added*; June 7, Mr. DOWNING *disch.*, Sir JOSEPH M'KENNA *added*; June 14, Mr. MULHOLLAND *disch.*, Sir JOHN LESLIE *added.*

COMPANIES ACTS, 1862-1867.

MOTION FOR A SELECT COMMITTEE.

MR. GREGORY moved that a Select Committee be appointed "to inquire into and report on the operation of the Companies Acts of 1862 and 1867."

MR. E. STANHOPE, on behalf of the Government, said, he had great pleasure in assenting to the Motion. The Government were, nevertheless, desirous of reserving their freedom of action as regarded some minor points if they should feel it necessary to introduce a Bill to deal with them during the present Session.

Motion *agreed to.*

Select Committee *appointed*, "to inquire into and report on the operation of the Companies Acts of 1862 and 1867."—(*Mr. Gregory.*)

And, on June 5, Committee *nominated* as follows:—Mr. LOWE, Mr. EDWARD STANHOPE, Mr. CHADWICK, Mr. HUBBARD, Sir HENRY JACKSON, Mr. GOLDNEY, Mr. HOPWOOD, Mr. ASHBURY, Mr. RYLANDS, Mr. SAMPSON LLOYD, Mr. KIRKMAN HODGSON, Mr. ISAAC, Mr. SHAW Mr. KNOWLES, Mr. ALEXANDER BROWN, Mr. ALFRED MARTEN, Mr. Serjeant SHERLOCK, Mr. ORR EWING, and Mr. GREGORY:—Power to send for persons, papers, and records; Five to be the quorum.

BISHOPRICS BILL.—LEAVE.

MR. ASSHETON CROSS, in redemption of a pledge which he gave last Session, rose to move for leave to bring in a Bill to provide for the foundation of four new Bishoprics in England. He did not think it would be wise to have a very large number of new Sees created all at once. It would take some time to raise the requisite funds, and it would not be well to have a large number of Bishops with a small amount of income. He had, therefore, thought it right to raise the minimum amount of income to £3,500—a limit somewhat above the one fixed for the new Sees of St. Alban's and Truro. He proposed to provide at present for four new Bishoprics, making, with the two previously created, six altogether, a number which would probably be sufficient for the wants of the Church for a considerable period of years. It

was necessary that the four new Sees should be formed in the most populous parts of England. He proposed that the first of them should be the See of Liverpool, taking in the West Derby Hundred of Lancashire. It would be separated from the diocese of Chester, and attached to the Province of York. The second would be formed out of the southern part of the diocese of Ripon, where there was a growing population, leaving York untouched, leaving the division of the diocese of York for future sub-division. Various plans had been proposed as to whether the cathedral city should be Wakefield or Halifax, and no doubt there was a great deal to be said in favour of both towns. It was therefore intended to leave it to Her Majesty in Council to decide whether it should be at Wakefield or Halifax whenever the sum of money required was forthcoming. The third new See would be formed from the counties of Derby and Nottingham. There had, he believed, been a great wish to have new Sees formed out of the dioceses of both Lichfield and Lincoln; but the Government did not see their way to create two additional Sees for that part of England, and therefore they thought it better that the counties of Derby and Nottingham should be joined, so as to constitute one See, at present. Although that might cause some disappointment, especially to persons in the diocese of Lichfield, where there was a great desire to have another See for themselves alone; yet, looking at their great zeal and their willingness to sacrifice their own personal feeling for a great object, he believed they would be willing to accept that arrangement. That See would, of course, be in the Province of Canterbury. The fourth new See would be constituted out of the county of Northumberland, and for its formation the Bishop of Durham had made a handsome offer. On that occasion he need not further explain the measure, but trusted he had said enough to induce the House to consent to the introduction of the Bill.

MR. BERESFORD HOPE expressed his thanks to the Home Secretary for having so quickly complied with what was the general wish of all who desired the prosperity of the Church—namely, an increase of her episcopal system. That wish had manifested itself with singular rapidity and unanimity throughout the country; and it had been met by the right hon. Gentleman in a way which would make his name grateful to all who had the well-being of the Church at heart. The right hon. Gentleman proposed to raise the minimum sum for each new See from the £3,000 of St. Albans and Truro to £3,500 with a house. He felt bound to say that in accepting that Bill under the regulations which the Government proposed, rather than lose it altogether, he and those for whom he spoke, gravely doubted if that alteration of the amount was desirable or not. Looking at all the circumstances, he thought it would have been better to have left the lower figure as it stood in the cases of Rochester and Truro. If £3,000 was sufficient for a Bishop charged with the care of the southern part of the metropolis, and bearing the historical title of Rochester, it could hardly be too little for the Bishops of such new Sees included in that Bill as Newcastle or Southwell. He should be glad to know where the cathedral city of the See to be formed out of the counties of Derby and Nottingham would be. [MR. ASSHETON CROSS: Southwell.] He approved the choice of Southwell. The ancient Collegiate Church there would form a suitable cathedral, and the choice would compromise the rivalry of the two county towns, Nottingham and Derby. Personally he must say that he did not think this diocese was most judiciously formed. He would have preferred only giving East Derbyshire to Southwell, retaining the rest of Derbyshire in Lichfield, so as to retain the north of that county and all Staffordshire under one Bishop, and consolidate Salop under Hereford. However, he acquiesced another point on which he desired to receive some comfort and assurance was that the Bill should contain some provision, however rudimentary, for the chapters in the new dioceses. Without the addition of a chapter on the constitutional complaint of each diocese, the measure would be a great gain, but with that addition it would be a much greater gain. If a provision of that sort were introduced, those who did not like the Bill would not dislike it more on that account, while those who liked it would probably give it a still heartier support.

MR. ASSHETON CROSS said, he knew it was a matter of great interest,

and he ought to mention that the Government had decided that as the new diocese of Rochester would contain so large a portion of the South of the Metropolis they had determined that the designation of the future Bishop should be Bishop of Rochester and Southwark.

Motion *agreed to.*

Bill to provide for the foundation of four new Bishoprics in England, *ordered* to be brought in by Mr. Secretary CROSS and Sir HENRY SELWIN-IBBETSON.

CATTLE PLAGUE AND IMPORTATION OF LIVE STOCK.

NOMINATION OF SELECT COMMITTEE.

VISCOUNT SANDON moved that the Select Committee on Cattle Plague and Importation of Live Stock do consist of Twenty-three Members.

CAPTAIN NOLAN moved that the number of Members be increased to 27. He did so for this reason. The original constitution of the Committee had met with reprobation from many quarters of the House. There were altogether 10,000,000 of horned beasts in the United Kingdom. Ireland and Scotland had 4,000,000, that was two-fifths of the whole, and yet of the 23 Members proposed only two were Irish Members. Again, the selection of these two Members was a most extraordinary one, having been made without any consultation with what was called the Irish Party in the House, although on this question he was willing to acknowledge there ought to be no difference of Party. They were all equally interested, whether Home Rulers, Liberals sitting under the Gangway, or Conservatives; and of the two Members selected neither was a county Member, although it was well known that the wealth of Ireland chiefly consisted in its cattle. The hon. and learned Member for Limerick (Mr. Butt) wished to put in three additional Members, leaving one for the Government to choose. He had risen in the absence of his hon. and learned Friend —whom he now observed in his seat— and he would propose the hon. Member for Sligo (Mr. King-Harman), who was a very large proprietor in Ireland, and also farmed 2,500 acres; of the hon. Member for Cavan County (Mr. Biggar), who had a large experience in trade, and was practically acquainted with many cognate questions. He did not think any Cattle Committee would be complete, from an Irish point of view, which did not include a representative from Ballinasloe, where a most important fair was held, and although situated in his own county of Galway it was closely adjoining Roscommon. He was therefore glad to see that the hon. Member for Roscommon (Mr. French) was moved as one of the three additional Members.

MR. BUTT seconded the Amendment, pointing out that there was no part of the United Kingdom more deeply interested in this question than Ireland, and submitting that it was not unreasonable to ask that the agricultural districts of Ireland should be represented. Speaking in conformity to the wishes of a meeting which had been held, he would suggest as additional Members of the Committee the three hon. Gentlemen named by his hon. and gallant Friend (Captain Nolan).

Amendment proposed, to leave out the words "Twenty-three," in order to insert the words "Twenty-seven,"—(*Captain Nolan,*)—instead thereof.

VISCOUNT SANDON confessed at once, on the part of the Government, that the Committee would be stronger if it had more representatives of Ireland, which, undoubtedly, had a very deep interest in the question. Government were willing that there should be four more Members appointed, and that three of these should be Irish Members. In the meantime, the House might decide, in accordance with the suggestion in the Amendment, that the total number should be 27, and the particular Members to be appointed could afterwards be considered.

MR. STORER observed that the names of hon. Members connected with the English counties and tenant-farmers were conspicuous by their absence. It should be remembered that although consumers had the first interest in this matter, it had been very much abated by the large importations of American meat. The farmers were the parties chiefly interested. It was their herds that suffered, and they had to pay the tax for compensation in a great proportion, as it came out of the county rate to which they were t[illegible]ributors.

MR. CALLAN urged that the Committee should consist of 29 Members, and that the hon. Members for South Norfolk (Mr. Clare Read) and Forfar (Mr. J. W. Barclay) should be added.

SIR W. HART DYKE felt himself mainly responsible for the names on the Committee, and when it was stated that tenant-farmers were conspicuous by their absence, he was bound to add that the first hon. Member to whom he applied to be a Member of the Committee was the hon. Member for South Norfolk (Mr. Clare Read), who refused to serve.

MR. MARK STEWART said, he had gathered from what had been said that three out of the four additional names were to be those of Irish Members. He felt rather disappointed, because Scotland was deserving of consideration as being an integral part of the United Kingdom. [*Laughter.*] He would explain the matter a little more fully. No cattle were allowed to be imported into Ireland, whereas Scotland was subjected to the importation of cattle from foreign ports all over the world, and cattle disease and the plague were brought over in that way. It was therefore important that Scotland should be considered in this matter, and he thought it right she should have an additional Member. There was a great amount of interest felt in Scotland in this matter. It was spoken of throughout the whole country, and if this was the only reason, Scotland ought, in his opinion, to be more fully represented than it was. It was a question in which, no doubt, the Government took all the precautions that could be possibly taken to stop this contagious plague from disseminating among cattle throughout the country, but those means were inadequate and insufficient for the purpose. It was therefore with great satisfaction that he found they were able to meet together in that House in order to appoint a Select Committee. As hon. Members very well knew, he had a Motion on the Paper on this subject, and probably if he had persevered with that Motion, this Select Committee could not have been discussed, much less appointed; but he was willing to waive that Motion in order that this Committee should be appointed, because he knew it would have been a sort of dog-in-the-manger policy to have obstructed the formation of the Committee. He was therefore inclined to support the Committee, in the hope that if carried through it would tend to stop the cattle plague.

Question, "That the words 'Twenty-three' stand part of the Question," put, and *negatived.*

Words "Twenty-seven" inserted.

Main Question, as amended, put.

Ordered, That the Committee do consist of Twenty-seven Members.

VISCOUNT SANDON moved "That Sir Henry Selwin-Ibbetson be one other Member of the Committee."

MR. PARNELL inquired what four names the Government intended to propose in addition to those on the Paper?

CAPTAIN NOLAN asked whether they would accept the three names which he understood the hon. and learned Member for Limerick (Mr. Butt) had to propose?

Motion *agreed to.*

VISCOUNT SANDON moved "That Mr. W. E. Forster be one other Member of the Committee."

Motion *agreed to.*

Motion made, and Question proposed, "That Mr. Chaplin be one other Member of the Committee."

MR. PARNELL repeated the request that the Government would declare their intentions, and to enable the noble Lord to do so, he moved the omission of the name of the hon. Member for Mid-Lincolnshire (Mr. Chaplin).

Amendment proposed, to leave out the name of Mr. Chaplin, in order to insert the name of Mr. Clare Read. — (*Mr. Callan,*)—instead thereof.

Question proposed, "That the name of Mr. Chaplin stand part of the Question."

MR. ASSHETON CROSS said, it was usual to propose one name at a time. As soon as those names proposed by the Government were accepted, it would be perfectly competent for the hon. and learned Member for Limerick to move the addition of any of the names in his Notice. But no name could be proposed without Notice.

MR. BUTT admitted that was the usual course. But the noble Lord

(Viscount Sandon) had engaged to accept three other names. Was it unfair to ask him what those names were?

MR. CALLAN said, though he did not wish to offer any objection to the hon. Member for Mid-Lincolnshire, he would vote under the circumstances that the name of the hon. Member for South Norfolk (Mr. Clare Read) be substituted.

MR. W. JOHNSTON supported the nomination of the hon. Member for Mid-Lincolnshire (Mr. Chaplin).

MR. KNATCHBULL-HUGESSEN said, it would be impossible for him to vote against the hon. Member for Mid-Lincolnshire, because he was eminently qualified to serve; but he could not understand why the Government would not say who were the three Irish Members they intended to propose.

MR. W. H. SMITH explained that the hon. Member for South Norfolk had refused to serve, though the Government were exceedingly anxious that he should.

MR. CALLAN said, the hon. Member's objection was to the terms of Reference, and not to serving on the Committee if those terms were altered.

CAPTAIN NOLAN said, that the best course would be for the Irish Party to allow the 23 first-named of the Committee to be nominated, and then to divide if necessary on three additional Irish Members which it was proposed to appoint. At the same time, he denied that the present mode according to which Select Committees were chosen by the Whips on each side was satisfactory. When there was a large independent Party in the House they ought to be consulted. The Irish Members were not anxious to break the Rules of the House more than they could possibly help. [*Laughter.*] He meant they were not anxious to strain the Rules of the House.

SIR W. HART DYKE said, it was well known for many years that the system on which these Committees were presented to the House was not one that was represented as absolutely perfect, but as conducive to the convenience of the House. The system might be good or it might not; but, as far as he was himself concerned, it was a very uncomfortable one. It was impossible to cast a ray of satisfaction on the path of one hon. Member without embittering and destroying the political aspirations of another. The Home Secretary was asked whether Her Majesty's Government were prepared at once to announce all these names. His right hon. Friend the Member for Clackmannan (Mr. Adam) knew how they had been harassed about this list of names. That very fact would show that if the right hon. Gentleman rose at once and said he was ready to give the four names he would be in this difficulty—that hon. Members might have risen and said it was impossible that those names could be accepted. In conversation with his right hon. Friend and with his noble Friend (Viscount Sandon) the Amendments which had stood for days on the Paper had been discussed, and they came to the conclusion that if the House wished that three Members representing Irish constituencies should be added, those three Members should be the hon. Member for Roscommon (Mr. French), the hon. Member for Sligo (Mr. King-Harman), and the hon. Member for Clonmel (Mr. A. Moore). Those three names were included in the various Amendments on the Paper.

MR. ADAM quite agreed with what had fallen from his hon. Friend. No one knew better than his hon. Friend and himself the difficulty of forming these Committees, and the amount of badgering they received proved to him that it was impossible to get what would be admitted to be a fair Committee, because everybody seemed ready to raise objections. No doubt there was a good deal to be said for the claim of Ireland to have some Irish Members on the Committee, and he quite agreed that two sitting on that side and one on the other side—namely, the hon. Members for Roscommon and Clonmel (Mr. French and Mr. A. Moore) and the hon. Member for Sligo (Mr. King-Harman)—should be appointed. Their names were already on the Paper, and therefore no further Notice would be required.

MAJOR O'GORMAN said, he should vote against every name on the Committee unless their men were put on. It was all very well for the Government to ask them to agree to the first 23 names and then say that they could divide on the 24th. They would go to a division on every name.

MR. BENETT-STANFORD remarked that there was certainly a desire on both sides of the House that the hon. Member

for South Norfolk (Mr. Clare Read) should sit on the Committee.

MR. CHAMBERLAIN said, that he thought the Government had gracefully conceded the point that three more Irish Members should be placed on the Committee. It was now admitted that there was a third Party in the House; and he hoped that the Government would further act gracefully by acceding to the names mentioned by the hon. and gallant Member for Galway (Captain Nolan).

MR. P. W. MARTIN said, that in a very late conversation with the hon. Member for South Norfolk (Mr. Clare Read) he said that nothing on earth should induce him to serve upon the Committee. As to the remarks of the hon. Member for Birmingham (Mr. Chamberlain), who said that the Government had gracefully conceded the point and allowed three more names to be added to the Committee, he might say that the Government had no power to interfere with the rights of the House, and he should object to the names of the Irish Members who had been referred to.

MR. BUTT said, he would have voted for the hon. Member for South Norfolk if it had been certain that he would serve, but it had been distinctly stated that he would not. It had been said that his objection was not to serve on the Committee, but to the terms of the Reference; but unless he withdrew his objection to the terms of the Reference he (Mr. Butt) could not vote for him in any case. He must express his extreme regret at the course taken by the right hon. Gentleman the Member for Clackmannan (Mr. Adam), in suggesting that the name of the hon. Member for Clonmel (Mr. A. Moore) should be substituted for that of the hon. Member for Cavan (Mr. Biggar), a suggestion which could only tend to widen the breach which already existed between different sections of the House.

MR. W. E. FORSTER reminded the House that the question was whether the hon. Member for Mid-Lincolnshire (Mr. Chaplin) should or should not sit on the Committee. The name of the hon. Member for Cavan (Mr. Biggar) might be left out of the discussion till he was proposed. He regretted the increased numbers of the Committee. The plain truth was that 27 was too many, and there would be increased difficulty attending the examination of witnesses. It was not the case that the Committees were chosen by the front benches. The right of choice was with the House, but some one must needs nominate. For himself he would be willing that his own name should be withdrawn, and that he should be allowed to offer his services as a witness instead of as a Member of the Committee. With reference to the hon. Member for South Norfolk (Mr. Clare Read) that Gentleman had distinctly told him that nothing would induce him to serve. But the hon. Member for Mid-Lincolnshire was also a Gentleman who would prove a good Member of Committee, and he hoped he would be elected.

MR. COURTNEY said, that he was sorry that the House appeared to be on the eve of a prolonged wrangle. The increase of the numbers of the Committee which had just been deprecated was a foregone conclusion, and had been conceded by Government. The hon. and learned Member for Limerick (Mr. Butt) said that the Irish Members had met together and had selected three Members whom they desired to represent the whole body—namely, the hon. Members for Sligo (Mr. King-Harman), Cavan (Mr. Biggar), and Roscommon (Mr. French). Two of these Members had been accepted; but in the place of the hon. Member for Cavan the hon. Member for Clonmel (Mr. A. Moore) had been proposed. He confessed that he regarded this as a most unfortunate proposal, and he could hardly express the sorrow with which he had heard the remarks of the hon. Member for Rochester (Mr. P. W. Martin). Anything which tended to increase the breach between any Party in the House and the great body of hon. Members was, in his judgment, to be much regretted. Even if it were true, which he did not allow, that they had to deal with an unreasonable person, they ought not to combat that person in an equally unreasonable way. Several times he had had to regret the manner in which it had been proposed to meet such conduct. He rose for the purpose of appealing to the reasonableness of the hon. Member for Cavan, and he would ask him to get up in his place and decline to serve upon the Committee. He knew this was a great request to make; but a mistaken prejudice which had been created must be banished by

such action on the part of the hon. Member for Cavan. ["Question!"] He maintained that he was speaking strictly to the question. If the hon. Member for Cavan would decline to serve, he would be doing a very great thing for the Party of which he was a Member.

MR. O'SHAUGHNESSY agreed that a Committee with so large a number of Members would be very heavy and unworkable. With regard to the suggestion which had been made to the hon. Member for Cavan (Mr. Biggar) he should offer no advice. He thought that, being engaged in a trade which was intimately connected with the subject with which the Committee would have to deal, the hon. Gentleman would prove a decided acquisition to that body. Although that hon. Member had been represented as obstructing the progress of Public Business, and although he might have done so on some occasions, he did not think any person who had heard him speak in the House could recall a single occasion on which he had been as offensive to any Member of the House as the Representative of Rochester (Mr. P. W. Martin) had been that evening. A great deal had been said about the dignity of the House. Hon. Members stood up heated in argument, and, excited perhaps by the interruptions of their opponents, used language which might not be pleasant, but which was excusable because it was uttered in hot blood. The hon. Member for Rochester, however, got up in cold blood and made a directly personal attack upon another hon. Member. ["Order!"]

MR. SPEAKER thought the hon. Member was travelling beyond the Question before the House.

MR. CALLAN asserted, with reference to the question as between the hon. Member for South Norfolk and the hon. Member for Mid-Lincolnshire, that at a late hour on the previous night the former had not withdrawn his name, and that, while objecting to the terms of the Reference, he was ready under the peculiar circumstances to act.

MR. BENTINCK thought the House generally must regret that a discussion of this kind should have taken the turn of a personal debate. For his own part, he declined to go into the personal question. As for the subject actually before the House, he regretted that the Motion of the hon. Member for the Wigtown Burghs (Mr. Mark Stewart) had not come on, because he regretted the appointment of the Committee altogether. He should vote for the appointment of the hon. Member for Mid-Lincolnshire (Mr. Chaplin).

COLONEL PARKER desired to express on behalf of the agriculturists of the country their earnest wish that the name of the hon. Member for Mid-Lincolnshire should be retained on the Committee.

THE CHANCELLOR OF THE EXCHEQUER believed there could be no doubt that his hon. Friend the Member for South Norfolk (Mr. Clare Read) had been repeatedly asked to serve on this Committee, and had expressed his unwillingness to do so. On the other hand, there could be no doubt that there existed in the House a strong feeling that it was desirable that his hon. Friend should take part in the deliberations of the Committee. The House had agreed that the Committee should consist of 27 Members. There were at present only 23 names on the list, and hon. Gentlemen from Ireland had indicated that they would propose three other names, thus only bringing up the number to 26, and leaving one name still to be supplied. He would therefore suggest they should nominate the hon. Member for South Norfolk as a Member of the Committee. If his hon. Friend, who was not now present, should afterwards decline to serve, and wished to be removed, that would be a matter for subsequent consideration.

MR. CALLAN said, that after the remarks of the Chancellor of the Exchequer he would withdraw his Amendment.

Amendment, by leave, *withdrawn*.

MR. PARNELL said, that the concession of the right hon. Gentleman only affected a portion of the case, and did not remove further objections to the constitution of the Committee.

Question put, "That Mr. Chaplin be one other Member of the Committee."

The House *divided*:—Ayes 156; Noes 23: Majority 133.—(Div. List, No. 104.)

Motion made, and Question proposed, "That Mr. Jacob Bright be one other Member of the Committee."

MR. ADAM expressed his regret that the hon. and learned Member for Limerick (Mr. Butt) should have found fault with the course which he had taken in proposing the substitution of the name of the hon. Member for Clonmel (Mr. A. Moore) instead of that of the hon. Member for Cavan (Mr. Biggar). He had not the slightest objection to see the latter hon. Gentleman sitting on the Committee; and he had suggested the name of the hon. Member for Clonmel because he had found it set down twice among the names proposed, while that of the hon. Member for Cavan was set down only once.

MR. BUTT said, he hoped they might now come to a termination of this discussion in which he had been exceedingly unwilling to take part. It did no credit to either side of the House, and, he thought, did not tend to add to its dignity. The three hon. Gentlemen's names which had been suggested by the Irish Party had been unanimously elected at a very full meeting of the Party, and the name of the hon. Member for Cavan was chosen, with the others, by that meeting, which included many who did not sympathize with a great deal which the hon. Member for Cavan did. That hon. Gentleman might be right in the course he pursued, or he might be wrong. He would not stay to discuss it, but was it right to ostracize any Member of the House? If they thought the hon. Member for Cavan displayed any surplus energy, let them put him on a Committee and give him something to do. Do not make an outlaw or a martyr of him, for that would only tend to magnify him. It seemed to him that an attempt had been made to gratify petty spite in this matter. If they thought the hon. Member for Cavan had done wrong, let them arraign him before the House and censure him for it. But he appealed to the House not to reject his name because of his unpopularity.

MR. W. E. FORSTER said, he thought the hon, and learned Gentleman's notion of what constituted a martyr must be a somewhat curious one, if he was under the impression that the word was applicable to the case of an hon. Member because he was not about to be appointed to serve on a Committee. The real question before the House, however, was the appointment as a Member of the Committee of his hon. Friend the Member for Manchester (Mr. Jacob Bright). He did not understand the "ostracizing" of any hon. Member. If a Gentleman was elected by a constituency to sit in that House he was competent to serve on a Committee, and he was informed that the hon. Member for Cavan had a good deal of practical acquaintance with the subject which the proposed Committee would have to consider. That practical knowledge which the hon. Member for Cavan possessed would no doubt be of service on the Committee; and the hon. Member's name therefore might very fairly be proposed and considered as soon as the names now before the House were disposed of.

Question put, and *agreed to.*

Motion made, and Question proposed, "That Mr. Wilbraham Egerton be one other Member of the Committee."

MR. PARNELL remarked that he was very sorry to have heard observations made on the occupation of the hon. Member for Cavan. It was true that the hon. Member for Cavan was in business; but he wished they had more such hon. Members, and Ireland would then be in a much better position.

MR. BENETT-STANFORD rose to Order, and asked whether the hon. Member for Meath was in Order in alluding to the name of the hon. Member for Cavan?

CAPTAIN NOLAN was about to speak, when——

MR. SPEAKER said, he could only decide one point of Order at once. The name of the hon. Member for Cavan would come on for consideration by-and-by. At present the Question before the House was, whether Mr. Wilbraham Egerton should be added to the Committee.

MR. PARNELL would not refer further to the name of the hon. Member for Cavan, but certainly the question of occupation had been introduced. ["No, no!"] The miserable question of personal conditions had been introduced by an hon. Member who ought to have known better. ["Order, order!"]

MR. SPEAKER again reminded the hon. Member that the Question before the House was whether the name of Mr. Wilbraham Egerton should be added.

MR. BUTT suggested to his hon. Friend that, after the conciliatory disposition

which had been shown on both sides, they might trust to the good sense of the House and not object to the name now before them.

MR. CALLAN thought that if the Government would state that they accepted the nomination of the hon. Member for Cavan all opposition would cease.

THE CHANCELLOR OF THE EXCHEQUER objected to his right hon. Friend the Chief Secretary for Ireland giving any such undertaking at present. All the Government desired was, that the Committee should be nominated in a regular, business-like way. They had no prejudice at all in the matter, and nothing was further from their thoughts than to speak lightly of any hon. Member's occupation. They had paid the most sincere respect to all the Members of the House, and certainly it would be their very last idea to make an objection to anyone on account of his occupation; but it was a most irregular course to bring up the name of another Member when a name was submitted to the House to vote upon. The name of the hon. Member for Cavan would be duly considered by-and-by.

MR. J. COWEN said, every name ought to be judged on its merits, and if the hon. Member for Cavan was guilty of any offence let him be punished. This dispute, he thought, had arisen because of a feeling in the mind of the Irish Members that the hon. Member for Cavan was, being struck at. If it were shown that that was not intended, the opposition would cease.

LORD ESLINGTON thought no one would object to the name of the hon. Member for Mid-Cheshire (Mr. W. Egerton). He conceded that the hon. Member for Cavan was well qualified to be a Member of the Committee. He protested against any one entertaining the feeling that any hon. Member was ostracized. It was most desirable that Ireland should be represented on the Committee, and for this special reason—that the cattle disease had been kept out of Ireland. The law appeared to have been better carried out there than in England, and it was most desirable to place experienced Members from Ireland on the Committee. If the hon. Member for Cavan had rendered himself somewhat unpopular, that ought not to prevent him from being nominated. He had been proposed by Irish Members, he had their confidence, and he (Lord Eslington) hoped the House would accept the name.

MR. PAGET protested against its being supposed that the House were bound to appoint as a Member of the Committee an hon. Member who had been selected by Members who called themselves "The Irish Members." It was an attempt to dictate to the House, which he hoped they would be slow to recognize.

MAJOR O'GORMAN: The hon. Member who has just spoken may be perfectly easy in his mind. We object to the name of the hon. Member for Cheshire—that is all.

CAPTAIN NOLAN said, that one side of the House was, as the hon. Member said, dictating to the other as to the composition of the Committee. He wished to tell the Government that there was a peculiar unfairness in putting the name of the hon. Member for Clonmel before that of the hon. Member for Cavan.

MR. SPEAKER wished to point out to the House that the Question before it was the name of Mr. Wilbraham Egerton. When all the names originally proposed were nominated, the hon. and learned Member (Mr. Butt) would be called upon to make his Motion, and the House could then discuss the nomination of the three Members mentioned in it.

CAPTAIN NOLAN said, he hoped that the hon. Member for Cheshire would be nominated to serve on the Committee. But in present circumstances he did not consider him so fit a man as his hon. Friend the Member for Cavan.

MR. SPEAKER would again remind the hon. and gallant Member that the name of the hon. Member for Cavan would be more properly brought forward when it was proposed by the hon. and learned Member for Limerick.

Question put, and *agreed to*.

Motion made and Question proposed, "That Colonel Kingscote be one other Member of the Committee."

MR. BUTT moved—"That the name of Mr. Biggar be substituted for that of Colonel Kingscote." He hoped the House would excuse him for trying to say a few words, not in the way of opposition to the name of Colonel Kingscote, but to show their feeling in desiring

to have Mr. Biggar on the Committee. In the early part of the evening they expressed a desire to have Mr. Biggar on the Committee, and the Government sent them a communication that they objected to that and another name, and they suggested the name of the hon. Member for Clonmel (Mr. A. Moore). The Irish Members, however, wished to have Mr. Biggar on the Committee. He appealed to the Chancellor of the Exchequer to say that when the name of the hon. Member came forward the Government would not offer any opposition. If he gave such an assurance, he believed there would not be another word of opposition from the Irish Members. It was hardly necessary to say that he did not intend to persist in his Motion.

Amendment, by leave, *withdrawn*.

MR. ADAM said, he had no objection to the name of the hon. Member for Cavan being added to the Committee; but he did not think the hon. and learned Member for Limerick was treating the hon. Member for Cavan fairly by running him against the hon. Member for West Gloucestershire (Colonel Kingscote).

MR. BRUEN did not feel himself committed by the resolution of a so-called Irish Representative meeting, at which the Irish names to be proposed on the Committee were agreed upon. No Irish Conservative Members had been summoned to it.

MR. SULLIVAN explained how the meeting was convened and composed, and stated that Irish Conservative Members were intended to be present at it. If the Government were going to avenge upon the hon. Member for Cavan any fault which he might have committed, they had better say so at once.

MR. SPEAKER pointed out that the name of the hon. Member for Cavan was not before the House.

THE O'CONOR DON expressed a hope that the House would terminate the unseemly wrangle in which they had been engaged. If the Government would say they would not oppose the nomination of the hon. Member for Cavan the matter would be at an end.

THE CHANCELLOR OF THE EXCHEQUER said, that it would be impossible for the Government to give such a pledge as that asked for by the hon. Member who had just sat down.

MR. KNATCHBULL-HUGESSEN pointed out that in order to satisfy certain English Members, the Government had already promised to propose the hon. Member for South Norfolk (Mr. Clare Read) as one of the four new Members to be added to the 23 whose names stood on the Paper. The Chancellor of the Exchequer, therefore, was somewhat inconsistent when he said that Government could not agree to the name of any other Member until the 23 had been appointed. He (Mr. Knatchbull-Hugessen) had waited all the evening in order to vote for the three Irish Members whom the hon. and learned Member for Limerick (Mr. Butt) had proposed; but as hon. Members from Ireland persisted in opposing names to which no one objected, and thus causing unnecessary delay, he should think of his own constitution rather than of the constitution of the Committee, and remain no longer.

MR. PARNELL said, he intended to propose an Amendment. The hon. Member for Clonmel, as high sheriff of his county, would not be able to attend on the Committee. There was at present no cattle plague in Ireland; but if it should break out there, the farmers of Ireland would be ruined. It was the duty of Irish Members to insist on being properly represented on the Committee, and they had met and determined on three names—the only real reason assigned for rejecting the name of the hon. Member for Cavan, who was one of the three, being the miserable prejudice that had been avowed by an hon. Member opposite.

MR. SPEAKER said, the hon. Member had not been speaking to the Question at all.

MR. PARNELL said he would not propose, as he intended, the nomination of the hon. Member for Cavan.

MR. SPEAKER said, the hon. Member announced at the commencement of his speech that he would move an Amendment. If he had done so his speech would have been in Order; but as he had not concluded with doing so he must inform he hon. Gentleman that his whole speech had been out of Order.

MR. PARNELL said, that he was sorry that any misunderstanding should have arisen. He therefore begged to move the substitution of Mr. Biggar's name for that of Colonel Kingscote.

SIR HARCOURT JOHNSTONE seconded the Amendment. It was better that a Vote should be taken than that the Amendment should be withdrawn.

Amendment proposed, to leave out the name of Colonel Kingscote, in order to insert the name of Mr. Biggar,"—(*Mr. Parnell,*)—instead thereof.

MR. BUTT hoped that the Amendment of the hon. Member for Meath would not be pressed. He complained of hon. Members below the Gangway opposite setting an exceedingly bad example, remarking with reference to certain noises from the opposite benches in that quarter that he could conceive nothing more inconsistent in any man who felt the dignity of the House and the responsibility of a Member of Parliament than to sit silent, excepting when he sought to disturb others who were speaking. He would suggest that all the remaining names on the list should be accepted by the Irish Members, and then a vote should be taken as to the name of the hon. Member for Cavan, in respect to which he would rely on the good feeling of the House.

MR. P. W. MARTIN, having been alluded to, wished to explain. When the hon. and learned Member for Limerick (Mr. Butt) asked the Government to accept his names *en bloc*, he (Mr. W. Martin) said it was not in the power of the Government to do that. When he said he had a personal objection to the hon. Member for Cavan, that was not exactly the idea he wished to convey to the House, although for a reason which he would give, he had individually an objection to the hon. Member serving on the Committee. Some time ago, a Bill in which he (Mr. Martin) took an interest, was unanimously read a second time and passed through Committee, and the hon. Member, although in his hearing he said he had only read that Bill a few minutes before, suddenly made it an opposed Order. That showed that if elected he might possibly take a course which would bring the whole of the important business of the Committee to a standstill. He had occasionally spoken to the hon. Member, and he had no personal objection to him whatever; but he preferred the hon. Member for Kildare.

MR. W. E. FORSTER was sorry that that Amendment had been moved, and hoped it would be withdrawn. If the hon. Member for Meath (Mr. Parnell) wished to see the hon. Member for Cavan placed on the Committee, he was taking the course to render that impossible by running his name against that of the hon. Member for West Gloucestershire.

MR. SPEAKER pointed out, that if the House declined to substitute Mr. Biggar's name for that of Colonel Kingscote, it would still be open to any hon. Member to propose the addition of the hon. Member for Cavan to the Committee.

MR. BIGGAR wished to make a personal explanation with reference to what had fallen from the hon. Member for Rochester (Mr. W. Martin). The fact was that he thoroughly approved of the Bill to which the hon. Member had alluded, but he wished to have a clause inserted, and that was his reason for making it an opposed Order. It was perfectly true that he had read the Bill only a few minutes before; but it was short, and he had thoroughly comprehended all the points.

MR. O'SULLIVAN said, his only objection to the hon. Member for West Gloucestershire (Colonel Kingscote) was that unless Irish names were added to the Committee, the Irish Members would oppose every name. He appealed to the hon. Member for Meath to withdraw his Amendment.

MR. P. A. TAYLOR observed that he did not blame the Government for acting as they had done, as they could not manage the Party behind them. There had been several occasions within the last week or two on which the Government had expressed their intention of taking a certain course and then left the House, whereupon their followers took a different course. Hon. Members opposite wished 23 nominations to the Committee to be accepted before the hon. Member for Cavan's name was submitted to them. That name would then be objected to. If the Government would give their assurance that they would do their best to secure a vote on the hon. Member's name without prejudice when it was reached, no doubt hon. Members from Ireland would not oppose the other names. If such a pledge were not given, Irish Members would be justified in opposing every nomination.

SIR PATRICK O'BRIEN hoped that the Amendment would be withdrawn, as it presented a false issue to the House.

THE CHANCELLOR OF THE EXCHEQUER said, it was clearly understood that the Amendment was made not with any view of objection to the name of the hon. Member for West Gloucestershire (Colonel Kingscote), but with the intention of bringing on a discussion on the question whether the hon. Member for Cavan should be appointed or not on the Committee. The hon. Member for Meath had made this Motion, not with any view of pressing it, but to put himself in Order; and therefore he suggested that the House should allow the Amendment to be withdrawn, and that the other names should be agreed to; and after that, when they came to the appointment of the four additional Members, the discussion might be taken. He thought that course would save time.

MR. SULLIVAN asked what corresponding advantage the Irish Members would obtain if they accepted the offer of the Chancellor of the Exchequer?

MR. MARK STEWART would vote for the hon. Member of Cavan when the proper time came; but he protested against the course of placing his name against that of every other Member proposed.

THE EARL OF DALKEITH hoped the appointment of a Committee would be proceeded with, and that hon. Members for Ireland would not offer any further opposition. He would remind them that Scotland had a right to be represented, but Scotch Members were too modest to come forward.

MR. R. W. DUFF complained that more Scotch Representatives had not been placed on the Committee.

MR. J. W. BARCLAY said, two Members to represent Scotland was a totally inadequate number.

Question, "That the name of Colonel Kingscote stand part of the Question," put, and *agreed to.*

Colonel Kingscote nominated one other Member of the Committee.

Motion made, and Question proposed, "That Mr. James Corry be one other Member of the Committee."

MR. PARNELL said, they had now been over three hours discussing this question, and it was clear that it could not be finished that night. He therefore moved that the further consideration of the Committee be adjourned until Thursday.

MAJOR O'GORMAN seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Parnell.*)

MR. BRUEN begged the hon. Member not to persevere with the Motion for Adjournment. While hon. Members were talking the Cattle Plague was spreading.

MR. BUTT also hoped the hon. Member for Meath would withdraw his Motion. He should not vote for an Adjournment, nor should he vote against the name of any other Member, believing that such a course would tend to prevent the accomplishment of the object he had in view.

Amendment, by leave, *withdrawn.*

Original Question, "That Mr. James Corry be one other Member of the Committee," put, and *agreed to.*

Mr. PEASE, Sir GEORGE JENKINSON, Mr. CHAMBERLAIN, Sir RAINALD KNIGHTLEY, Mr. MURPHY, Mr. ELLIOT, Mr. MUNDELLA, Mr. CAMERON of Lochiel, Mr. ARTHUR PEEL, Mr. RITCHIE, Mr. JOHN HOLMS, Mr. TORR, Mr. ANDERSON, Major ALLEN, Mr. NORWOOD, and Mr. ASSHETON, nominated other Members of the Committee.

MR. BUTT moved, "That the name of Mr. Biggar be added to the Committee."

Motion made, and Question put, "That Mr. Biggar be one other Member of the Committee."

The House *divided:*—Ayes 90; Noes 113: Majority 23.—(Div. List, No. 105.)

MR. SULLIVAN moved the Adjournment of the House, on the ground that some heat had been thrown into the proceedings of the past hour, and the Members of the Government had been divided in their support of the Amendment; and therefore he thought some time should be given to the Government to consider what names they would adopt.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Sullivan.*)

MR. SPEAKER said, the hon. and learned Member for Limerick had a Notice on the Paper to move the addition of two other names.

MR. BUTT declined to make any further Motion on the subject.

THE CHANCELLOR OF THE EXCHEQUER thought there was no necessity for the Adjournment. The question on which the House divided was a question for the House, and not for the Government; and as the House had decided the question, he was of opinion that the subject might be there allowed to drop, and the remaining Members of the Committee appointed.

MR. J. W. BARCLAY suggested that the Motion for the Adjournment of the House might be amended and altered to the adjournment of the Debate. He intimated that on the next name he would move to substitute a Scotch Member.

MR. W. E. FORSTER said, he had voted in the minority, and was sorry for the decision which the House had just arrived at. He hoped there would be an Adjournment of the Debate.

Question put.

The House *divided*:—Ayes 35; Noes 156: Majority 121.—(Division List, No. 106.)

Motion made, and Question proposed, "That Mr. French be one other Member of the Committee."

MR. M'CARTHY DOWNING asked, having seen the Chief Secretary for Ireland go into the Lobby against his hon. Friend (Mr. Biggar), what Ireland had to expect? He should divide the House on the questions of the Adjournment of the House and the Debate.

SIR MICHAEL HICKS-BEACH said, that this was not a Government division, and he felt it his duty to exercise his individual judgment upon the matter before them. Surely they had the liberty of deciding who, in their judgment, was the fittest Member to serve on this Committee, and he had considered the qualifications of the hon. Member for Clonmel (Mr. A. Moore) to be preferable to those of the hon. Member (Mr. Biggar).

MR. CALLAN moved the Adjournment of the Debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Callan.*)

THE CHANCELLOR OF THE EXCHEQUER said, the Government wished to add three Irish Members to the Committee.

Question put.

The House *divided*:—Ayes 17; Noes 127: Majority 110—(Div. List, No. 107.)

Question again proposed, "That Mr. French be one other Member of the Committee."

Motion made, and Question put, "That this House do now adjourn."—(*Mr. James Barclay.*)

The House *divided*:—Ayes 18; Noes 96: Majority 78.—(Div. List, No. 108.)

Question, "That Mr. French be one other Member of the Committee," put, and *agreed to.*

Mr. King-Harman nominated one other Member of the Committee.

Further Proceeding on Nomination of the Committee *adjourned* till *Thursday.*

House adjourned at Three o'clock.

HOUSE OF COMMONS,

Wednesday, 2nd May, 1877.

MINUTES.] — PUBLIC BILLS — *Resolution in Committee—Ordered—First Reading*—Pier and Harbour Orders Confirmation (No. 2) * [154].
Ordered—First Reading—Medical Act (1858) Amendment * [155]; Local Government Provisional Orders (Gas) Confirmation (Penrith, &c.) * [156]; Local Government Provisional Orders Confirmation (Altrincham, &c.) * [157].
First Reading—Bishoprics * [153].
Second Reading—Cruelty to Animals [7], *put off*; Assistant County Surveyors (Ireland) * [106]; Winter Assizes (Ireland) * [75].
Committee—Report—Law of Evidence Amendment * [112].
Withdrawn—Burials [36]; Capital Punishment Abolition * [96].

CRUELTY TO ANIMALS BILL.

(*Mr. Holt, Mr. Hardcastle, Mr. Charles Wilson.*)

[BILL 7.] SECOND READING.

Order for Second Reading read.

MR. HOLT, in moving that the Bill be now read the second time, said: Mr. Speaker, in making that Motion, the House will probably expect me to state the object and explain the provisions of the Bill, as well as notice the objections raised to, and give my reasons for, the course I am pursuing in thus bringing the subject forward for consideration. The object of the Bill is two-fold. It aims at supplying a defect in Martin's Act, and it is also intended to prohibit painful experiments known as vivisection. Hon. Members are aware that Martin's Act is the Act under which prosecutions for cruelty are conducted. It has been a very valuable Act; but experience has proved that it is defective—in one respect, in that its provisions are restricted to domestic animals. To remedy that defect I propose to the House to enact—

"If any person shall from and after the passing of this Act cruelly torture or wantonly or barbarously injure any vertebrate animal he shall be guilty of an offence against this Act."

I trust this will so far commend itself to the approval of hon. Members that I need say little in support of it. It is, I believe, well known that acts of cruelty, condemned by every one, have remained unpunished, because, though revolting to the feelings of the whole civilized community, the law cannot reach them. As I imagine that any objections which may be taken to this clause will relate merely to details, I need not dwell on this part of the Bill. The object of this Bill is also to provide a special remedy for a special form of cruelty; to prohibit the practices known as vivisection. To effect this, I ask the House to enact that—

"From and after the passing of this Act it shall not be lawful to perform any experiment causing, or being in itself of a nature to cause, pain or disease in any vertebrate animal, except for the purpose of alleviating or curing any disease from which such animal is suffering; and any person except as aforesaid performing or taking part in any such experiment, or permitting any such experiment to be performed upon any premises over which he has control, shall be deemed guilty of an offence against this Act."

The Bill provides for the registration and inspection of places where there may be danger that cruelty is practised, and for the entry, on warrant, to search private premises where there may be reason to think that experiments are conducted. The Bill contains also provisions for the administration of the law, taken, with slight alteration, from the Cruelty Act of last year. Such is the object, and such are the provisions of the Bill. In the next place, I think I ought to notice some of the objections which are raised to the legislation proposed, and the arguments offered in defence of vivisection. First, let me try to remove one of the objections raised, which I know to influence some persons, and which may be present to the minds of some hon. Members. I find the movement against vivisection is regarded by some persons as an attack on the Medical Profession. Now, Sir, I wholly repudiate such a charge, so far as I am concerned myself. I am attacking not men, but practices and opinions—practices and opinions which have been denounced and are denounced by medical men—I make no attack on the Profession. To me it is a source of deep regret if, through the action of some of its leading members, an honourable and noble Profession should have become in anywise identified in the eyes of the public with vivisection, and should be thereby lowered in dignity and position in their estimation. But I will not admit that the Profession, as such, is to be confounded with the advocates of vivisection. I know that there are many medical men of no little experience who oppose the practice, on scientific, no less than on moral grounds. I have presented Petitions to this House signed by medical men, in favour of the total suppression of vivisection. I have met with language employed by medical men in denouncing vivisection as strong as any I have seen anywhere. I am told that many doctors, especially country practitioners, are ignorant of the whole subject; and I hear that at this moment there is a movement going on, which will, I hope, result in the complete vindication of the Faculty throughout the United Kingdom from any complicity in physiological cruelty. I deprecate any attack on the Profession; but I say that if medical men choose by their own act to rank themselves under the banner of vivisection, they must not expect that the

fact of their being members of that Profession will save them from becoming involved in the same condemnation with vivisectors. Another objection is raised by those who tell us that our demand for the total abolition of vivisection is Utopian, humanitarian, sentimental, and that our object is not within the range of practical legislation. If this means that because we cannot with absolute certainty stop cruelty in scientific research, therefore we ought not to forbid it by law, I reply that you do not argue in this fashion on other questions. Such an argument would be a bar to every attempt to repress crime by legislation. I look on this as a moral question. Vivisection is an immoral act, and therefore to be suppressed. It is as a moral question that I have taken this up: I say that whatever may be the reasons or the results which you can bring forward, unless it can be shown that the practice of torture is morally right, the Legislature is bound, if it deal with the subject at all, to prohibit it altogether; and I cannot abandon that ground. But when I examine the argument, irrespective of moral considerations, I contend that if the opposition to vivisection be well founded, it is no argument against legislation to say that we cannot entirely put it down, or that we shall thereby compel physiologists to visit other countries for their cruel experiments. I repeat, you do not argue in this fashion on other questions. Let me illustrate my position by reference to a crime created by law, not otherwise morally wrong, but inconvenient and injurious to the material interests of society, and consequently totally prohibitive. There is nothing morally wrong in making a model of a shilling or of a bank note, any more than in striking a medal, or in preparing a *fac simile* of Magna Charta. You do not inquire into the motive; you prohibit it because you feel that the interests of society require it, and you forbid the act absolutely, in spite of the circumstance that you may fail to prevent its commission, and that you may drive the skilled engraver, or the clever artizan, to practise his art in other countries. Sir, I do not say the cases are parallel, but I do say the argument is untenable in either case. Under this head I think I may properly notice the argument offered to the House last year by my hon. Friend the Member for West Cumberland (Mr. Percy Wyndham), whom I regret not to see in his place. If I understand him aright, he urged that we are engaged in an Utopian scheme, and he remonstrated with me for attempting to reverse the course of nature. I understood him to argue thus—"Nature is cruel; the processes of Nature bring good out of evil; do not attempt to be wiser than Nature: be content to leave things as they are." I think my hon. Friend will see that if his argument were sound, nothing ought to be done to civilize the savage or to cultivate the earth: because Nature is savage and nature is wild. My hon. Friend would upset the whole course of modern civilization. I cannot think that he is of opinion that we live in a perfect world; nor would he sanction the doctrine that the disorders of the world are to be the measure of our duty and conduct. I submit that we live in a disordered world, that we are surrounded with evil, and in conflict with evil at every step, and that it is not the course of Nature, but the overruling providence of God, which brings good out of evil. Though we may not be able to account for the origin of evil, nor for the great amount of pain and suffering apparently unmerited which we see around us, surely we are not on that account to ignore it! We may not be able effectually to remedy it. Are we therefore to add to it? True,—the beasts prey one upon another; but I do not see how anyone can possibly justify the cruel acts of an intelligent, responsible man by a reference to the habits, instincts, and passions of the irresponsible beast. I submit that the civilization of which we boast is of a most imperfect type if it permits us to increase—nay, if it do not compel us to lessen, so far as we can, innocent suffering whether in man or beast. Let the guilty suffer, under a just sentence, according to their deserts, and in their case temper justice with mercy; but let innocence rejoice in the protection of a righteous law. Another allegation which I think I ought to notice, is that our statements are exaggerated. Whenever a vivisector meets with an exaggerated statement, he is perfectly justified in describing it as exaggerated. Sir, in this case there is no need for exaggeration. The facts are bad enough without exaggeration. I do not admit the justice of the charge

made against us, though I admit that if our assertions be compared with those made by vivisectors, there is a wide difference; but I say that I have observed on the part of the advocates of vivisection a constant desire to extenuate their experiments and to magnify their results. It would appear from the statements of some persons, that the great work of physiological life in respect of vivisection, is to "scratch the tail of a tadpole," and that the result, in the vast majority of instances, is the prolongation of human life and the relief of suffering; the tadpole suffers little; mankind are vastly benefited. In reply to the charge of extravagance, I will simply turn to the Blue Book, and ask whether there has been anything charged against the cruel physiologists which its pages do not amply confirm? The experiments described and uncontradicted, described as performed in England, and admitted to be true, are sufficiently horrible to justify the public excitement which prevails. Take Mr. Wickham Legg's experiments on cats, and Dr. Rutherford's on dogs—are not they bad enough?—the latter of which, by the way, have been so pointedly condemned by a man of the highest scientific authority, Sir William Thomson, in a letter to *The Scotsman*. He says—

"Sir,—In your print of this morning I see a report of Professor Rutherford's paper on the secretion of bile, read at the meeting of the Royal Society yesterday evening, when, as President, I was in the chair. As chairman, I did not feel that I had the right to express my opinion that experiments involving such torture to so large a number of sentient and intelligent animals are not justifiable, by either the object proposed, or the results obtained or obtainable, by such an investigation as that described by Professor Rutherford. I feel this opinion very strongly after many years' serious consideration of the general question of the advisableness or justifiableness of experiments involving cruel treatment of the lower animals.

"University, Glasgow, March 6th, 1877."

Is it possible that there can be anything more shocking than the experiment spoken of by the late Sir William Fergusson. He says—

"I have reason to imagine that such sufferings incidental to such operations are protracted in a very shocking manner. I will give you an illustration of an animal being crucified for several days perhaps; introduced several times into a lecture room for the class to see how the experiment was going on."—[1037.]

I do not know what is learnt, I do not know what can be learnt, from an animal in such an unnatural condition; but I say that the thing is too horrible to admit of exaggeration; and that, be the results what they may, the experiment is unjustifiable. I do not think it possible that any graver charge can be brought against vivisectors than that which rests an the authority of Sir William Fergusson. We are told there is exaggeration. Is not the exaggeration on the other side? We hear it said again and again that experiments are performed under anæsthetics, and the public are led to believe that the animal in such cases is insensible to pain. Of course, an experiment may be commenced under anæsthetics; does anybody believe that an animal can be kept for three or four days under its influence? Is there no exaggeration here? I fear that those medical men are right who tell us that the anæsthetic is exhibited to narcotize public feeling rather than to relieve the suffering animal. But, Sir, I know I shall be told that we dealt with this subject last year, and that before we re-open it, we ought to wait to see how the Act works. This argument may satisfy those who want to get rid of an unpleasant subject, or who object to vivisection only in so far as they consider it is an abuse of a lawful practice; but those who regard the practice as unlawful in itself cannot rest content with an Act, however well it may work, which licences the abomination and can be made to protect the cruel experimenter. What are we to gain by waiting to see the working of the Act? Is it not clear that the Act will work as the Home Secretary works it? Is it not also evident that the mode of working the Act in one year, even in the hands of the same Minister, is no criterion how it will be worked in another year? Much less can it afford any evidence how the Act will be worked under a change of Government. Does anyone doubt that my right hon. Friend desires to work the Act from the humane point of view? For myself, though I lament that he has been persuaded to depart from the position he originally assumed, I do not expect to see any Home Secretary work the Act on more humane principles. Work it as well as he may, I am not satisfied to leave, even in the hands of my right hon. Friend, the power with which this Act entrusts

him. I object to leave it in the power of any man to authorize the performance of the experiments described in the standard works for instruction and reference accepted in England. I object altogether that it should be in the power of any learned Corporation to issue certificates for such experiments. I think that our national character is at stake, and I desire to vindicate it without delay from all complicity with cruelty. But, Sir, I submit that we have seen enough already of the working of the Act to justify further legislation. The Return lately issued shows as much as my right hon. Friend's advisers think it expedient to reveal of the working of the Act. It gives us to understand that we must not expect full Returns, and that the Act is to be worked partly in the dark. We are not to know the number of applications, nor the names of the successful applicants, nor the terms and conditions of the licences. When it shows that no licences have been issued for the more painful experiments performable under the Act, it shows that the Act has done one piece of service—it has demonstrated that these experiments are not necessary, and might just as well have been prohibited altogether; but it reminds us that they are permitted under the Act, and that we must not rest until it is repealed. It shows that the system of licensing established last year was a system of secret licensing—a system at variance with the strongest feelings of the people and self-condemned, and that the shield of secrecy is required to protect the tender feelings of vivisectors from the rough usage of public opinion. The Return shows further, that the licences issued are mainly for purposes of demonstration to students—the very thing which the public justly dread as likely to have a demoralizing effect. Remember, this implies the constant repetition of experiments from which nothing new is to be learnt—the demonstration of facts which can be described in print and illustrated by diagrams. Remember, this demonstration is employed in lectures, not exclusively addressed to medical students, but intended to form part of a course of general education; in lectures, too, which are attended by young ladies, who are thus receiving that higher education which is intended to raise them in the social scale—to perfect their womanly accomplishments. Remembering this, we regard the working of the Act with no satisfaction, and are ready to agree with Dr. Anthony, who thinks it a bad practice to permit vivisectional experiments for the purpose of demonstration; and with Dr. Haughton, who expresses an equally decided opinion in very strong language—

"I would shrink with horror from accustoming large classes of young men to the sight of animals under vivisection. I believe that many of them would become cruel and hardened, and would go away and repeat these experiments recklessly, without foresight or forethought; science would gain nothing, and the world would have let loose upon it a set of young devils."—[1888.]

What a charming prospect for English society in the next generation! Does it not justify us in making a stand against this kind of education, and in seeking, without delay, to repeal an Act which works in this direction? The Return further discloses the fact that one of these licences is connected with the Gloucester County Asylum; one with the Glasgow Royal Infirmary; and others with London hospitals. This will not increase public satisfaction; but I shall return to this phase of the question in a few minutes. I maintain, Sir, that this Return ought to make my position stronger, and that when its full significance is understood, it will make the demand louder for the total prohibition of vivisection. Having thus replied to some preliminary objections, I will endeavour to deal with the question on its merits, and to grapple with the arguments by which the advocates of vivisection support their position. My position, in brief, is this—First, I regard the practice as morally wrong, and, therefore, to be forbidden; and in the next place, I submit that, whether you consider vivisection in itself to be lawful or unlawful, whether you deem it to be an abuse in itself, or only in so far as it is carried to excess, the evidence in the Blue Book shows that the only way effectually to stop the abuse is to prohibit the practice. Why should we not prohibit the practice? The advocates of vivisection assert that it is necessary for the progress of science—necessary for the relief of the suffering—and attended with beneficial results. I join issue with them, and assert that it is morally wrong—scientifically erroneous—socially dan-

gerous. You tell me that vivisection is necessary. Before asking how you establish the necessity, I ask—Where do you get your authority to do what you like with the creatures placed in your power? I know you have the power; but right and power are not interchangeable terms. The exercise of power without right is selfish tyranny, and the only right which man possesses is that which the Creator has given him. He gave man the right to rule—but not with unlimited authority. You will search in vain for any right to torture. Many persons seems to think that if in the exercise of power which we possess we are guided by a benevolent motive, it is a lawful exercise of that power; but I submit that no motive can justify an immoral act. You may pity the man who steals a box of pills to relieve a suffering child, but you do not applaud the act or approve the man's moral perceptions, much less do you recognize the motive as a ground of exemption from prosecution. It must be a mistake to think that the civilization, which is very strict in requiring a recognition of the difference between *meum* and *tuum*, ought to be indifferent to the cultivation of humanity, or to regard cruelty, even to an animal, as a venial sin, because perpetrated from a benevolent motive. But how do you establish the necessity which you allege to exist? Do you assert there is no other means by which medical knowledge can be advanced, and means discovered for the relief of human suffering? Turn to the Blue Book, and you will find the opinions of eminent medical men, expressed in no ambiguous terms, to the effect that they do not consider experiments on animals as the most important source of knowledge. Sir James Paget says [382]—

"I can quite believe that ardent physiologists put more trust in the experiments on living animals than I should; and certainly those studying therapeutics and diseases think more of them than I should. I think more of the advantage of clinical enquiry."

Dr. Acland says [957]—

"I do not think that for the purpose of advancing the knowledge of medicine, experiments on animals are the most important things."

Sir William Fergusson was asked [1100]—

"Have such experiments, in your opinion, had any direct bearing upon the progress of surgical practice?"

He replied—

"Well, I do not think it. I am as familiar as most people with these experiments, and I cannot say that I have been much impressed with the value of them."

But admitting that clinical and pathological observation in the human subject is the more important means for the advancement of medicine, can you show that vivisection is any means at all? You point to discoveries and results which some persons tell us are reckless assumptions. The discovery of the circulation of the blood has been adduced as an instance in point. Yet, what has Dr. Lauder Brunton lately said respecting Harvey's investigations? I take from *The British Medical Journal*, of 17th March last, an extract from Dr. Brunton's Goulstonian Lectures—

"Harvey himself was led to form his ideas regarding the course taken by the blood from the position of the valves in the veins, and might possibly have been able to describe it exactly, without making a single experiment."

You also bring forward Hunter's operation for the cure of aneurism. Dr. Macilwain said before the Royal Commission that this assertion is [1845] "entirely untrue," and Sir James Paget, in the Hunterian Oration delivered last February, is reported in the medical papers to have said, with reference to Hunter's scientific renown—

"No one seems to have known better than he did the danger of reasoning from physiology into practical surgery;"

and with especial reference to the operation for the cure of aneurism—

"This was no laborious result of physiological induction; it was a plain result of facts, collected in the wards and in the dead-house."

And so with other alleged discoveries. One witness says [5669]—"We have discovered the use of nitrite of amyl." Another replies—"It was nothing more than a happy guess."—[1781.] Whilst a doctor, to whom I have spoken on the subject, says—"Whatever may be its effects on animals, it has proved fatal to man." We hear a great deal of the value of experiments on guinea pigs as the cause of the success which has attended Mr. Spencer Wells in his celebrated operations. So far as I can learn, the facts do not bear out the statements made. In the first place, the operations on guinea pigs were not new—the facts had been ascertained 100

years ago by Bichat on his dog. Upon that, however, I do not insist, as I do not admit that the success of Mr. Spencer Wells arises from vivisection in any degree. I rather urge that if these experiments on guinea pigs were of the value attributed to them, they ought to be of no less service to other operators in ovariotomy. But the fact is, that, though Mr. Spencer Wells only loses 22 per cent of patients, other surgeons lose 76 per cent. This satisfies me that the success of Mr. Spencer Wells is not to be attributed to experiments on animals, but to his own skill and care. Again;—I call attention to the action of the Medical Society of Victoria. They have lately, by a formal decision in solemn conclave, come to the conclusion, after 20 years' experience, that experiments on dogs, conducted to obtain an antidote to snake-bite, afford no clue to the action of remedies on man; and they have discontinued these experiments. You may point to the alleged valuable contributions to science made by the researches of Dr. Ferrier, with reference to the functions of the brain. Do you know that Dr. Brown-Sequard, one of the greatest of living vivisectors and authorities on vivisection, has given details of cases so recently as last August, which prove that the teachings of vivisection on the functions of the brain and nerves are a tissue of mistakes created by vivisection, but rectified at last by correct clinical observation during life, and careful examination of diseased structures after death? Thus the sufferings of animals in these experiments have been wholly thrown away. I think I have said enough to throw doubt on the necessity for vivisection. I maintain that you have not yet established the necessity: but I go further, and maintain that it is scientifically erroneous and misleading—that it can be shown to be scientifically erroneous and misleading—and that, whether you regard the illogical mode of procedure, or the actual result to the human patient. Look for a moment at the course of procedure; I say a scientific enquiry ought to be conducted in a logical fashion. Tell me whether the rules of logic are not wholly disregarded by those who employ vivisection to advance medical science, and to relieve human suffering? Now, Sir, one of the objects for which vivisection has been employed, is to ascertain the action of drugs on the various organs of the human body. A physiologist desires to ascertain the action of a particular drug on, say, the liver of a man, for especial use, when that organ is diseased. Remember he is a scientific man; he is engaged in scientific research; he requires, above all things, accuracy in his conclusions; he ought, above all things, to be logical in his proceedings. He is most anxious not to take a leap in the dark, not to act the part of an empiric. A mistake may be attended with fatal results to the human patient whom he seeks to benefit. Surely such a man engaged in such an investigation ought to be logical in his procedure! How does he proceed? Of course, he secures a licence from the Home Secretary; then, as it seems to me, his mistakes begin. He takes a healthy dog, he subjects him—of course under anæsthetics—to the usual treatment. The body is cut open, the bile duct divided and brought to the outside; the drug is administered in the usual way; the result is carefully noted. When it is done, what have you got? When it has been repeated 100 times, what have you got? The results may not vary in the least, but what do they establish? They show the action of a certain drug on the liver of a healthy dog placed in an abnormal condition, and nothing more. Your experiment proves absolutely nothing as to the action of the drug on the liver of a sick dog—there may be conditions present which would vitiate the results—much less as to its action on the liver of a sick man. Yet you call this scientific investigation. Is it not beyond dispute that if you want to know the effect on man you must experiment on man? Dr. Rutherford admitted this to the Royal Commission. He said [2926]—"I experiment on dogs; I leave it to others to experiment on man." And Dr. Houghton illustrated the point forcibly by saying [1885] that—

> "Notwithstanding the exhaustive series of experiments with reference to the action of mercury by the late Dr. Hughes Bennett, there is not a doctor in Europe or America who has altered his practice in treating congestion of the liver with blue pill."

Thus the hundreds and thousands of victims which have suffered at the hands of vivisectors have suffered in vain, so far as any logical deduction is concerned.

You may have made some guesses at the truth, with apparent success in some cases, but you cannot deny that it may be the case when you come to apply your so-called results in practical medicine, you may do irreparable injury to hundreds of patients before you find out that your conclusions are mistaken. This attempt to escape from empiricism by a disregard of the rules of logic cannot inspire the public with any great amount of confidence in the medicine of the future. It is well for the patient class that the Faculty has enough common sense to disregard theory and trust to experience. This establishes my third point. I say vivisection is not only morally wrong, and scientifically erroneous, but it is socially dangerous. I mean it leads, it has led, to positive injury to the human patient. This is no imaginary idea. I will endeavour to prove my point by reference to the practice of two men who in former years were at the head of the Profession—Sir Astley Cooper and Mr. Travers. I have obtained my information from a book recently published by Dr. George Macilwain. [*Vivisection*. Hatchards, 1877.] Page 94—

"Sir Astley Cooper thought that when the neck of the thigh bone was fractured within the bag or capsule which encloses the joint of the hip, repair by bony union was impracticable. . . . . To prove this, as he thought, he made some experiments . . . . on dogs, and finding that the fractures he made in the thighs of dogs united only by ligaments, he regarded that as a confirmation of his doctrine. . . . Sir Astley Cooper was surgeon to one of the largest hospitals, and a leading teacher of surgery. Concluding that bony union could not be obtained in the cases referred to, he recommendod and adopted a practice which rendered it impossible. Thus, when the patient had been in bed for a fortnight or so, . . he recommended him to rise and use a crutch, which necessarily involved lameness for life. The lamentable result . . . can only be estimated by considering what might have been the number of cases confided to his care, besides those to such of his pupils . . . who . . . would adopt the practice of their distinguished teacher."

Further, with reference to Mr. Travers, Dr. Macilwain says, page 107—

"The very measure which Mr. Travers was led to recommend to combat the peritonitis (in the operation for strangulated hernia) was exactly that it was most dangerous to employ. . . . [Page 106.] I believe that no more disastrous error ever proceeded from vivisection than the one in question; and whether Mr. Travers' treatment proceeded from what he did in his operations, or from what he neglected to do, it still illustrates the misleading character of vivisection, to which there always seems more or less tendency, inseparable from that mode of investigation."

Here, then, we have definite instances, brought to our notice by a medical man, of the socially dangerous effects of vivisection. I believe it to have another effect equally dangerous. It encourages experiments on man, and that, I much fear, for the purpose of demonstration as well as in the interest of science. I speak on the authority of an eye witness who has seen two things done in an hospital for the purpose of demonstration without regard to the pain inflicted on the patient. One is the rubbing together the ends of a broken bone to afford an illustration of what is termed crepitation. A doctor was passing through the wards with his class of students; they came to a man whose leg had been broken and not yet set; the doctor rubbed the ends of the bone together to let his pupils hear the sound. When he passed on to the next case, the young men repeated the operation for their own instruction or amusement—say, in the interest of science—and when the patient screamed and writhed in agony, the doctor only cried—"Hold him down, hold him down!" Another instance given to me, also by an eye witness, is found in the case of a patient suffering from a dislocation of the wrist. One of the characteristics of this injury is that it is necessary, when the dislocation has been reduced, to retain the bones in their proper places by splints and bandages, otherwise it will recur. In the case in question, the wrist of the patient was set, but not bandaged in order that the dislocation might recur, for the purpose of demonstration to the class of students; and I am told that the pain the patient would suffer in the interest of science is extremely severe. There is another instance which I cannot pass over; an instance reported in *The Lancet* on the 20th and 27th of last January. The Glasgow Royal Infirmary figures in the recent Return as a place in which they are engaged in the pursuit of science, and apparently they are not very particular as to the means they employ, so when they get an opportunity of dealing with a case of human hydrophobia, they disregard the established rules of practice in their eager search after knowledge. I shall put the facts

more briefly before the House by reading a letter which appeared in *The Lancet* of January 27th on the subject. I understand the fact of the dog passing through the ward has been explained by the Secretary to the Infirmary to have been an accident. I accept the explanation, but, I say, that had such an accident happened in the wards of a homœopathic, hydropathic, or mesmeric hospital, the carelessness of the authorities would have been most loudly denounced in the medical journals. The letter in *The Lancet* is to the following effect:—

"Sir,—I have read with astonishment a case of hydrophobia in the Glasgow Royal Infirmary in your impression of to-day. I will not now discuss the question of the case being hydrophobia or not. But I will ask, how came a dog to be allowed to pass into the chamber of a man in the state there described? Was it for experiment, or was it accidental? If for experiment, God grant the Vivisection Act may protect our species. If accidental, it is to be blamed in no measured terms. . . . I quote your correspondent's words:—'When seen at midday, the hope was expressed that the symptoms, whatever was their origin, were passing off, and that the patient was in a fair way towards recovery. At 3.30 p.m., an event took place which completely and suddenly altered the aspect of the case. While the patient was lying, to all appearance, calmly in bed, a dog passed through the room, and was seen by him. Immediately thereafter he started up in bed, with his arms extended, and his eyes staring, his whole countenance indicating intense horror. He jumped out of bed, and, in attempting to climb over the screen, fell upon the floor; there he lay for a few minutes, groaning and talking, and tossing his limbs about.' Again—'Pouring from one vessel to another did not produce any effect; upon a few drops being sprinkled upon his face, the same sobbings were performed, and he complained of such a low trick being done upon him.' Again I quote the words of the article—'For a short time there seemed to be a lucid interval, in which, in pitiful tones of voice, he asked those around him to take him up into some quiet room, and have an end made of him. This period of repose did not last long; for in a few minutes, after being breathed upon and fanned with a towel, he became again incoherent and maniacal.' And once again—'While standing behind him and out of his sight, I blew my breath once or twice upon the neck and face, when at once the muscles of the neck and of the upper and lower extremities became rigid, and the diaphragm acted spasmodically: the spasm was not followed by a second, without he was again provoked.'

"Arthur Richardson, M.R.C.S."

I make no comment on this shocking case. I simply quote the words of a medical man who has written with reference to it—

"These Glasgow cases demonstrate that the practice of cruel experimentation on the lower animals leads, as a matter of course and of necessity, to disregard all human suffering; and they show, beyond all question, what medical practice, under the influences that exist and are daily extending, with the sanction and approval of the most eminent members of the medical schools, will assuredly become, in hospitals and out of them, if the public does not interfere to prevent it."

This makes the subject one of an eminently practical character. The question must become one of intense interest to the humbler classes, who in their hours of pain and weakness are treated in hospitals and county asylums. Your licences are some of them associated with these places. The names of the men are not given. May not the patients justly feel alarmed lest they should fall into the hands of some reckless experimenter? The course of our practice in sanitary regulations is to separate from their friends, and to isolate persons suffering from infectious disease. We send them to be treated in special hospitals. Is it not a matter of the very gravest importance to the country that no suspicion should be permitted to attach to those institutions? Remember, they will hereafter be placed under the charge of men who have been trained in the schools of vivisectional demonstration, for which you are now issuing your licences; and I cannot feel indifferent to the fact, broadly stated by Dr. Moxon, in the Hunterian Oration for the present year, that, under our modern system—

"There is growing up a generation of physicians who are so imbued with the scientific spirit as absolutely to forget, in the highest issues, that their Profession has any practical aim."—[*Medical Times and Gazette*, March 3rd, 1877.]

This is no light and trifling matter. I regard it as a question of the gravest import, which demands the most careful consideration of Parliament. How does the matter stand? Some persons are seeking to justify cruelty, that they may gain knowledge, and the knowledge, when gained, has not necessarily any practical aim. We have passed an Act which legalizes cruelty with this object, and I conceive our first duty ought to be to recognize that we have not gone far enough, and to replace the Act of last year by a more thorough measure. I know that with the momentous issues

which now engage public attention, this subject may easily be put aside, but I claim a place for it amongst the important social questions of the day. I ask hon. Members not to put it aside as disagreeable and troublesome, but to regard it as a question of importance; "as a question," to quote words better than any of my own, lately written to a friend by a general officer, well known to many sportsmen in this House—

"That undeniably affects our national character, and which ought not to be treated with careless indifference. It is right or wrong. Let every reflecting individual take a part in the matter; seek for information, and make up his mind to uphold or oppose the practice."

We demand the absolute prohibition of vivisection. We believe that nothing short of that will cure the evil and vindicate our national character. The well-being of society demands that cruelty shall be punished by law, not merely in the humbler and less educated classes, but amongst the learned, the refined, and the powerful. Our moral perceptions demand, the true interests of science demand, the well-being of society demands, that good motives shall not be permitted in this country to extenuate bad actions—that results shall not be accepted irrespective of the means by which they are attained. I desire to see vivisection banished from this country as a relic of our savage nature, a practice of a barbarous age, inconsistent with our Christian profession, a disgrace to true science, and a blot upon our civilization. I beg to move the second reading of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Holt.*)

DR. CAMERON in moving that the Bill be read a second time that day six months, said, he did not object in any way to the amendment of Martin's Act, but he did object to the proposal to interfere with vivisection as regulated by the Act of last year. The hon. Member for North-East Lancashire (Mr. Holt), in attempting to legislate upon the subject, had introduced about as crude and unworkable a measure as it was possible for the mind of man to conceive. This did not arise from any want of study, because the hon. Member appeared to have been applying his mind to the question for a considerable time. In 1875 the hon. Member had joined the Society for the Suppression of Vivisection, and in the autumn of that year he gave evidence before the Royal Commission. In the course of his evidence, he stated that up to that time he had paid little or no attention to the details of the subject. He had intended to do so, but had been prevented by illness. He had had time enough, however, to discover that the affairs of the society were in a very bad condition, and that the society in reality consisted of a secretary, who expressed as the views of the society whatever he chose to state, without summoning any meeting of a regular committee. This gentleman declined to have his accounts audited, and the hon. Member (Mr. Holt) stated himself that he was determined either to reform the society, or to retire from it. The hon. Member received one lesson on the subject of vivisection from the Commission, but he (Dr. Cameron) was sorry to see that it had already been forgotten. After informing the Commission that he had made no particular study of the matter, the hon. Member quoted as an illustration of the uselessness of vivisection, the fact that Harvey's great discovery of the circulation of the blood was not due to that practice. The hon. Member quoted this on some second-hand authority, as he had done in his speech to-day. "Well," said one of the Commissioners (Professor Huxley), "have you acquainted yourself with the original writings of this author?" "No," returned the hon. Member. "Then allow me to read this passage to you from Harvey's works," and Professor Huxley read the following:—

"When I first gave my mind to vivisections as a means of discovering the motions and uses of the heart, and sought to discover there from actual inspection, and not from the writings of others, I found the task so truly arduous, so full of difficulty, that I was almost tempted to think with Fracastorius, that the motion of the heart was only to be comprehended by God."

And then a little farther on—

"At length, and by using greater and daily diligence, having frequent recourse to vivisections, employing a variety of animals for the purpose, and collecting numerous observations, I thought that I had attained to the truth."

"These," said Professor Huxley, "are Harvey's own words, and I presume you will modify the opinion you have ex-

pressed." The hon. Member replied, "My opinion is based on a statement of Boyle's, which I have read." Yet notwithstanding that lesson which the hon. Member then received, he had again fallen into the same mistake to-day regarding Harvey's discovery. Before the Commission the hon. Member explained that his objection to the practice of vivisection was that it did not come within the grant of the lower animals to man made by the Almighty. He did not think sporting justifiable, but he would not interfere with it by legislation, because it was connected in some degree with the question of the supply of food. In regard to vivisections in connection with farming operations, he did not propose to interfere with the mutilations of domestic animals which took place, because he said he considered there must be some good reason for the practice adopted with respect to lambs, calves, pigs, &c., or otherwise it would not prevail so extensively. The only point on which the hon. Member expressed any distinct or decided conviction was in regard to the excision of the ovaries in sows, a practice which he unreservedly condemned. He wound up his evidence by saying that so repulsive to him was vivisection, that if he was seriously ill and his only chance of recovery was to employ a practitioner who had obtained his knowledge of his disease through vivisection, he would do so with great reluctance, and if he had a relative placed in a similar position he would not employ such a practitioner at all. [Mr. HOLT: Hear, hear!] The hon. Member said "Hear, hear!" but this protestation of the hon. Member of his readiness to sacrifice his friends to his convictions reminded him (Dr. Cameron) of nothing so much as the manner in which Artemus Ward had vindicated his reputation for patriotism when it was called in question during the American War—namely, by protesting his readiness to sacrifice his brothers-in-law and every other male relative to the conscription, provided only he was allowed to remain at home. The Bill which the hon. Member introduced last year upon the subject had at least the merit of being intelligible. That Bill provided that—

"It should not be lawful to perform any experiments of any kind causing, or of a nature to cause, pain or disease in any animal, or to cut or wound any living animal except for the purpose of killing any animal, or alleviating or curing any disease from which such animal was suffering, or performing any operation required to render any such animal better suited for the service of man, or ascertaining, in pursuance of a judicial inquiry, and by direction of the Secretary of State, and under such regulations as he might prescribe, the nature or operations of any supposed poison for which there was no known chemical test: Provided always,—that it should be an offence for a person to treat any animal with wanton cruelty, or to subject it to unnecessary suffering."

The Times, commenting upon that Bill, said—

"As for Mr. Holt's Bill, physiologists will probably be glad to see it, for the absurdity of the position taken up by the author was transparent. He would have no operations on animals for the alleviation of human suffering, but he would permit the performing of any operation to render animals better suited for the service of man, in health, of course. These operations might be of any sort, performed by any one, however unskilled, and without the use of anæsthetics. Could any proposal be more ridiculous? and yet it was seriously printed and laid on the Table of Parliament."

He (Dr. Cameron) presumed it was in order to meet comments of that kind that the hon. Member had this year modified his Bill, and had cut out the express provision legalizing the forms of agricultural vivisection. But in doing so, the hon. Member had provided only for the punishment of wanton cruelty inflicted on any vertebrate animal, while he had absolutely prohibited experiments for purposes of scientific research. The effect of this provision in the Bill of this year was precisely the same, therefore, in effect as the specific provision in the Bill of last year, because no magistrate would convict any man of wanton cruelty who merely performed cutting operations upon living animals for the purpose of rendering them more suitable for the service of man. The hon. Member had not ventured to state that the Report of the Royal Commission went in the teeth of the evidence. But once admit that the Report of the Commission was in accordance with the evidence, and all the extracts given by the hon. Member from the answers of individual witnesses to isolated questions simply tended to show these isolated statements had been refuted by the great balance of evidence. The Report of the Royal Commission was, on the whole, a wise Report, and the Government last year introduced a Bill embodying the recommendations contained in that Report, and passed them

into law. The Bill of the Government was open to certain theoretical objections; but, practically, it did everything required to remove all the evils that were formerly alleged to exist. The Act provided that no experiment should henceforth be performed on animals except by a person licensed by the Home Secretary, and for the advancement of physiological knowledge; that experiments should then be performed only under the influence of anæsthetics, except on the production of a special certificate that the use of anæsthetics would nullify the results it was hoped to obtain. Curare, about the action of which some doubt existed, was not to be deemed an anæsthetic; animals were to be killed before recovering consciousness; and no experiment was to be performed without anæsthetics on a dog, cat, horse, ass, or mule, except on special certificate that no other animal was available for such experiment. Judges in criminal cases might order experiments in cases where they were necessary for the detection of crime, and the Secretary of State was empowered to require details to be furnished of all experiments. The results of the working of the Act during the last six months had, as he would show in a few minutes, been perfectly satisfactory. But, before proceeding to that point, he should like to point out another mistake into which the hon. Member had fallen. He had dwelt upon the revolting effect which the performance of these experiments would have upon certain classes of young ladies before whom, he said, they were performed. Why, the Act of last year positively prohibited experiments upon living animals being made before the general public at all. A Return, to which the hon. Member alluded in the course of his speech, had recently been published as to the working of the Vivisection Act, and it showed that 23 certificates had been issued under that Act during the six months it had been in operation, and that in only one case had a licence been granted permitting experiments without anæsthetics. Even in that case, the licence was subject to the proviso that the Inspector should be satisfied within a moderate time that the experiments themselves were not of a nature calculated to inflict pain. At the present moment, therefore, there was not a single licence existing for any experiment calculated to inflict pain except under the influence of anæsthetics. Not a single certificate had been issued dispensing with the obligation of killing the animal before it recovered consciousness. There again, however, the hon. Member had gone wrong, and had dwelt upon the great sufferings experienced by the animals in recovering. At the present moment, hon. Members would see the walls placarded with illustrations of dogs and cats writhing in torture undergoing vivisection, and this despite the fact that not a single certificate had been issued under the Act of last Session permitting any painful experiments upon these animals. Meanwhile the hon. Member, without waiting for the Return, and not knowing how the Act was working, brought in his Bill, which repealed the Act of last Session, prohibited wanton cruelty generally, but in doing so excepted sporting, and agricultural vivisections, which would be allowed to go on unheeded, because they did not come under the head of wanton cruelty. In the present Bill, as compared with that introduced last year, there was one very important and deliberate omission. Last year the hon. Member provided that experiments should be lawful if they were necessary for the purpose of furthering the ends of justice, such as the detection of poison; but this year the hon. Member withdrew that exception from the Bill, and as the measure now stood, if it were passed to-morrow, and a man were poisoned with strychnine or some other poison difficult of detection, it would be unlawful to make any experiment, even if such experiment were necessary, in order to prove that a murder had been committed. He was satisfied there was no chance of a Bill like this being allowed to pass, but its introduction had been made to serve as an excuse for a renewed agitation on the subject. He protested against the unfair manner in which that agitation had been conducted, and the reckless fashion in which charges had been scattered about. The hon. Member had referred to certain experiments which were stated to have been made in the hospitals, and instanced a case in which a patient suffering from a fracture had been ordered by a surgeon to be forcibly held down, in order that the students might one after another familiarize themselves with the crepitus produced by rubbing the

ends of the broken bone together. Now he (Dr. Cameron) did not believe in that case. At all events, the law provided amply at present against any such outrage or assault. The same remark would apply to the case in which it was alleged that a surgeon had allowed a re-dislocation of the wrist, in order that he might demonstrate the accident to his class. If the hon. Member was possessed of the real facts of the case, and they were as stated, there could not be the smallest difficulty in punishing the surgeon who was guilty of such inhumanity. He should like to say a word or two as to what had occurred at the Glasgow Royal Infirmary. The hon. Member led the House to infer that there was some connection between the cruelty alleged to have been carried on in the case to which he had referred, and the fact that a licence for experiments on animals had been granted to Glasgow Infirmary. The simple explanation of the fact would be found in this —that there was a medical school attached to the Glasgow Royal Infirmary. As to the proceedings in regard to the case of hydrophobia, he had unfortunately not got details by him, because he did not see what possible connection the incident had with vivisection; but he had a strong impression that the surgeon under whose charge the case occurred had been able to explain the whole matter in a satisfactory manner, and to show that there had been gross exaggeration and misrepresentation in regard to it. He knew that the whole circumstances had been brought before the Governors of the Royal Infirmary, and that it was found that nothing had occurred more censurable than carelessness in allowing a dog to run through the Infirmary. So far as he remembered the explanation, everything that took place in the way of experiment took place before the nature of the disease was ascertained, and was undertaken in order that the nature of the disease might be determined. Hydrophobia did not occur, even in such a large institution, once in 10 years, and it was necessary to make some tests or experiments to ascertain the exact symptoms, in order to determine what the disease was. The hon. Member said that, "as might have been expected after such treatment the patient did not recover." He (Dr. Cameron) never heard yet of a patient affected with hydrophobia who did recover; the patient invariably died; so that the death which occurred in this case had nothing to do with the matter. To show the reckless manner in which charges against the medical profession had been made, he might refer to the evidence given by the Secretary of the society—Mr. Jesse—who charged Professor Huxley with encouraging vivisection, because he had published a handbook of physiology for the use of schools, in which, to make his explanations the more effective, he used a very common, though a slightly figurative, form of phraseology. "Take, for example," he said, "an animal, cut its spinal cord, and pinch its foot, and such and such phenomena will occur." "What," said Mr. Jesse, pointing to such a passage, "could be more conclusive as proof that Professor Huxley inculcates the practice of vivisection upon the boys and girls for whom his work is written?" Professor Huxley replied—

"Well, let us take another passage of the book; for example, this—'If the upper arm of a man, whose arm is stretched out, be tightly grasped by another person, the latter, as the man bends up his forearm, will feel a great soft mass, which lies at the fore part of the upper arm, swell, harden, and become prominent. As the arm is extended again the swelling and hardness vanish. On removing the skin, the body which thus changes its configuration is found to be a mass of red flesh sheathed in connective tissue.' Are you of opinion that that passage suggests that boys and girls should remove the skin from one another's arms?" "I do not know," replied Mr. Jesse, "I never thought of it before. I should like to take it home and look it over." "The book is accessible to you," retorted Mr. Huxley. "I now take you to page 16 of the same work—'Let any person in the erect position receive a violent blow on the head, and you know what occurs. On the instant he drops prostrate in a heap, with his limbs relaxed and powerless.' Do you think that that is an encouragement to boys and girls to knock one another on the head?" I do not know," was Mr. Jesse's reply, "It has rather a tendency that way, I should think, if they are experimentally inclined."

He (Dr. Cameron) did not know whether any hon. Members from the sister Island were present; but if there were, and there was anything in the argument of Mr. Jesse, he thought he ought not to have read the extract. Mr. Jesse went farther in his misrepresentations. Without a shadow of proof he accused various hospitals of misappropriating funds which ought to be applied to the treatment of patients to the purposes of

vivisection, and he now charged the hon. Member for North-East Lancashire with misappropriating the funds of the Anti-Vivisection Society. A hand-bill had been issued by Mr. Jesse with reference to the action by that hon. Gentleman in connection, he (Dr. Cameron) presumed, with the reformation of the society which the hon. Member had promised to undertake. A portion of it, printed in red ink, ran in these words—

"The taxed costs saddled upon you by Messrs. James Maden Holt, M.P., Harrison, and Bagshawe exceed £500. Though the Chancery suit was never authorized by the subscribers, and was persisted in against the expressed desire of the most munificent and a large majority of the known members of the society, nevertheless, Messrs. J. M. Holt, M.P., Harrison, and Bagshawe do not consent to pay one farthing of the above costs."

More unkind still, Mr. Jesse proceeded to turn the hon. Member into ridicule by publishing a number of extracts from the evidence given by him before the Royal Commission, concluding with the extract from *The Times*, which he (Dr. Cameron) had quoted, and which stigmatized the Bill of the hon. Member as "utterly ridiculous," and stated that physiologists would probably be glad to see it. Since the days when the hon. Member for North Warwickshire accused another hon. Member of being a Jesuit in disguise, there had not been, in Parliamentary experience, anything to equal these recriminations. The funds of the society were now free, and they were being devoted to disfiguring the walls with pictures and disseminating misleading handbills containing gross misrepresentations as to the real opinions of the persons quoted, with regard to vivisection, Sir Thomas Watson was quoted as saying that an experiment at the time of an animal being insensible was really of little or no value. Did that mean that Sir Thomas Watson was a supporter of the Bill of the hon. Member? What Sir Thomas Watson did before the Commission was to give examples of important results which had been obtained from vivisection, and to protest against its incautious restriction. Sir William Fergusson, it was true, thought that the results attributable to vivisection had been greatly exaggerated; but, far from denying that very important results had been obtained, he admitted that these results were of the greatest value, and so little did he approve of the proposition of the hon. Member that he was opposed to any legislation that would trammel scientific men, and suggested that a strong expression of the Commissioners' opinion would be sufficient. Dr. Acland, so far from supporting the hon. Member's proposition, pointed out that observation of the living structures had revolutionized old theories of animal economy, and urged that while incompetent persons should be restrained from making such observations, public opinion was generally sufficient in other cases. Dr. Taylor was also quoted as against these experiments, but his evidence was to the directly contrary effect. Before the Commission he pointed out that experiments were useful for the discovery of antidotes, and, that as new drugs were continually being found, they were necessary for discovering their properties. Again, he pointed out that when chemistry failed to detect a poison, it might be necessary to apply part of the substance said to have produced death to a living subject. Not merely had he repeated these misstatements contained in the society's handbills, but the hon. Member had fallen into other mistakes in the same direction, especially in reference to Sir James Paget and Professor Haughton. From the official summary of the evidence given before the Commission, which had just been published, he found that Sir James Paget stated that experiments on animals were often necessary in cases of novel inquiry, and that he gave a number of instances of their utility. As to Professor Haughton, that gentleman undoubtedly gave some strong evidence against the state of things which existed previously to the passing of the Act of last year; but what he advocated was the regulation, not the abolition, of vivisection. And if hon. Members would turn to the abstract of his evidence they would find that it contained one of the strongest practical arguments which could be desired against the proposal before the House. They would find that Professor Haughton had himself made some experiments upon frogs, which demonstrated the antagonistic actions of nicotine and strychnine, and that in consequence of the publication of the result of these experiments in America, nicotine was tried as an antidote in a case of strychnine poisoning in the human subject "and proved, as it had since done in five or six cases, success-

ful." Thus, these experiments which Professor Haughton himself had undertaken upon frogs, had been instrumental in saying several lives. The amount of vivisection practised in this country was extremely small, and the vivisections which did occur in the country were, as was shown in the Return, entirely painless. There was not a single experiment that was not performed under anæsthetics, and there was not a single case in which the animal had not been killed before its recovery. Even before the passing of the Act of last year the extent of these experiments had been grossly exaggerated. One of the gentlemen whose name had been held up to loudest execration by the anti-vivisectionists was Dr. Klein, who had conducted for the Privy Council investigations into the transmissibility of tubercular or consumptive diseases, and researches into the nature of some of the contagious diseases of cattle. The important facts brought to light by Dr. Klein's investigations afforded ample justification for them. And what was the amount of animal suffering which he had inflicted, and which had brought upon him all this odium? In the course of a year's lectures he used, for purposes of demonstration, according to his evidence, 10 or 12 animals, mostly frogs, no dogs, and possibly one kitten. In his Privy Council experiments with reference to zymotic and epizootic diseases, three monkeys, three dogs, two cats, and four white mice had been used. The experiments, so far as the monkeys were concerned, consisted in giving them infected food, and as the result was to show that the disease experimented on was incapable of being produced in them, the experiment did them not the slightest harm. [Mr. HOLT: Hear, hear!] The hon. Member said "Hear, hear;" but it seemed to him that the monkeys had decidedly the best of it in that experiment. The suffering inflicted on the animals used in these experiments was a mere drop in the ocean as compared with that daily inflicted for agricultural and sporting purposes. If the promoters of this movement wished to illustrate the walls with horrors, they should represent surgical operations on mankind before chloroform was discovered. The hon. Gentleman had for a wonder abstained from following the usual practice of anti-vivisectionists, and denying that experiments upon animals had anything to do with the discovery of chloroform. They were in the habit of asserting that this discovery had been brought about by means of experiments instituted by Professor Simpson on himself and his assistants, forgetting apparently that these were animals of a very important class. To show, however, the value of experiments on the lower animals, even in connection with this discovery, he might mention an incident which had been narrated to him by his right hon. Friend the Member for the University of Edinburgh (Mr. Lyon Playfair). That right hon. Gentleman was Professor of Chemistry at the time when Dr. Simpson was conducting his researches into the properties of anæsthetics, and he was in the habit of supplying him with such chemical products as Dr. Simpson thought from analogy might be possessed of anæsthetic properties. On one occasion he obtained from him some bi-bromide of methylene, and before proceeding to test its properties upon himself, administered some to some rabbits. The result was apparently most satisfactory; anæsthesia was speedily produced, and the animals recovered without sickness or other bad effect. It was resolved that on the following day Professor Simpson should try the drug himself, and he was about to do so when some one suggested that before proceeding with the experiment they should see how the rabbits were getting on. On visiting them it was found that they had all died during the night. The agent, though apparently harmless, was possessed of deadly properties, and he need hardly say that, under the circumstances, Professor Simpson did not proceed with the experiment upon himself. In this case the life of the discoverer of chloroform—a life the value of which to humanity could not be over-estimated—had, in all probability, been saved by an experiment involving the sacrifice of a few rabbits. The introducer of the Bill had contested the assertion that Hunter's operation for the cure of aneurism was due to his experiments upon animals. Whether Hunter had, in the first place, been led to adopt the correct system by pure inductive reasoning, or through his experiments, he (Dr. Cameron) would not stop to argue, but this was clear—that Hunter had had extensive recourse to experiment in the course of his investi-

gations; and that, without the aid of the facts elicited by these experiments, his operation, though it might have been discovered, would not have been established as the practice of surgery. The hon. Member for North-East Lancashire was particularly unfortunate in his selection of the arterial system as his battle-ground on which to combat the utility of vivisection, for there was no part of the human economy for our knowledge of which we were more clearly indebted to experiments upon animals, than the arterial system. It was by means of vivisection that Galen discovered that arteries were filled with blood, and not with air as was previously supposed. As they had seen, it was to vivisection that Harvey was indebted for the discovery of the circulation of the blood. The present system of tying arteries in operations was the result of experiments on animals made by Mr. Jones. Previous to these experiments, surgeons, in tying arteries, took the greatest care not to cut or bruise them for fear of inducing secondary hæmorrhage; but, in spite of all their precautions, the loss of life by secondary hæmorrhage was very great. Mr. Jones, however, discovered by means of his experiments, that if you wished to secure an artery properly, instead of dealing with it too tenderly you must tie it so tightly as to cut its inner coat. He found that if this were done, nature at once set up a reparative process, and secondary hæmorrhage became a rare complication. Again, within the last few years, by means of experiments on animals, Professor Lister had elaborated a most important improvement in the practice of ligaturing arteries. In many cases of operation a fatal irritation was kept up in the wound by the ends of the ligatures used, which had to be left hanging out of the wound until the arteries which they tied sloughed through, and allowed of their removal. Professor Lister, by means of experiments upon calves and other animals, discovered that a ligature prepared with carbolic acid might be cut off short and left to be dealt with by nature—that it gave rise to no abscess or suppuration, but became encapsuled in the surrounding tissue, and in course of time absorbed. Turning from the surgery of the arteries, however, let them look at numberless diseases to which mankind was subjected, and they would find that some of their most valuable knowledge was due to experiments upon the lower animals. Look, for example, at diseases produced by internal parasites. The subject was too technical to enter minutely into in that place; but for all their knowledge of the nature and causes of those diseases and their mode of prevention, they were indebted to such experiments. Then look at cholera. They had not been able to discover any cure for that fell disease, but they had discovered what was almost equally important—the agency by which it was disseminated, and the means to prevent its spread. They had found out the terrible danger which lurked in apparently inoffensive dejecta of cholera patients, and the subtle manner in which these colourless excretions might poison our wells and rivers and convert our sewage system into a hotbed of disease. And how had this important knowledge, which enabled them to combat an epidemic with intelligence and to guard against it with success—how had it been gained? By means of experiments on animals—chiefly white mice. He had a long list of other discoveries in medicine and surgery for which they were indebted to experiments on animals, but he would not weary the House by referring to them further. [*Cries of* "Go on."] Well, he might refer to the operation of the transfusion of blood—the history of the discovery of vaccination — the practice of resecting joints. By means of experiments on animals it was shown that if a joint were cut out and the limb treated in a certain way, nature would supply a new joint and the utility of the limb remain very little impaired. Consequently in numerous cases of diseases or injuries of joints, where formerly a limb would have been amputated, the operation of resection was practised, and the patient when cured retained a very useful limb. In the same way it had been demonstrated that the periosteum or membraneous sheath of bone was endowed with the capacity of secreting and regenerating bony tissues, and in many operations involving the excision of diseased bone, the periosteum was now preserved under such conditions as enabled the bone which had perished to be restored. In his Bill of last year the hon. Member had made an exception in favour of experiments on animals under-

taken for the purpose of furthering the ends of justice. That exception he had now, however, deliberately cut out. It might, therefore, be well to remind them that the murder by Palmer, which created so much sensation in the country some years ago, was brought home to him chiefly by means of experiments upon frogs. The case, too, against Dr. Pritchard, of Glasgow, who poisoned his wife and his mother-in-law, would, in all probability, have fallen through, had it not been for a series of experiments on animals, instituted by Dr. Penny, which conclusively established his guilt. Turning to the brighter side of the picture, he would refer to the evidence of Dr. Taylor before the Commissioners to show that if experiments were sometimes necessary in order to send men to the gallows, they might be useful in saving men from it. Dr. Taylor mentioned the case of a child which died of symptoms of poisoning, and a *post mortem* examination resulted in the detection of arsenic in the stomach. The mother was arrested for the murder of her child; but Dr. Taylor and Dr. Pavy investigated the case, and found that the child was suffering from ringworm, and had been treated with an ointment which contained arsenic. By experiments on living animals Dr. Taylor and Dr. Pavy discovered that arsenic being readily absorbed by the skin, traces of it could be found in the stomach in a few hours after it had been applied externally, and by that means the woman, who might otherwise have been consigned to the gallows, was sent forth to the world without a stain upon her character. As he had said, there was not the smallest chance of the present Bill being allowed to pass; and, under ordinary circumstances, he would not have troubled himself to expose the inconsistency of the well-intentioned hobby-mongers who, pursuing the shadowy horrors which they supposed to be flitting about in the 23 licensed physiological laboratories, left unheeded the thousand instances of needless suffering inflicted every day under their very noses, in the shamble, on the moor, and in the farmyard. But while he had simply wondered at the infatuation of a Gentleman who, holding it within the grant by God of the lower animals to man, to mutilate them, to hunt them, and to shoot them down, regarded it as contrary to that grant to sacrifice a few rabbits, white mice, or guinea pigs, for the purposes of acquiring knowledge which might prevent the spread of an epidemic, which might enable the surgeon to save a hundred limbs, or which might rescue the suspected murderer from the gallows —while he should have simply smiled at such infatuation, and the measure in which such ideas were embodied, in view of the agitation that was attempted to be got up under cover of the Bill, and the misrepresentations which were rife on the subject, he had considered it his duty to come forward and explain what appeared to him the real merits of the case and the real nature of the question at issue. He would conclude by moving the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Dr. Cameron.*)

MR. HARDCASTLE supported the second reading of the Bill. The hon. Gentleman who had just sat down (Dr. Cameron) had endeavoured to meet the case by citing instances which he (Mr. Hardcastle) would admit did not involve any very great suffering, and in which humanity had benefited from experiments made upon the inferior animals, but he entirely overlooked the real point at issue, which was whether those Professors who had recourse to vivisection for the illustration of their teaching could be trusted to keep within the bounds of moderation. To show the length to which some experimentalists would go, he would refer to the fact that in France, where the practice existed, it had been carried to such an extent that those who practised it had become quite callous as regarded the torture to which they subjected the animals on which they experimented. The Report of the Royal Commission bore out the assertion that there had, too, been several instances of the same thing in this country, and it was one of the great difficulties in dealing with this subject that the details were of so painful and revolting a character that it was almost impossible to get persons to listen to them with patience. He would only quote one or two cases mentioned in the Report to show to what lengths the practice had been carried in France, and by Professors and

even students in this country. In one instance a celebrated French experimentalist had run red-hot irons into the anterior lobes of the brain of a dog; but, to use his own words, although he beat it severely to keep it quiet afterwards, the animal raised such piteous cries that, for the sake of the neighbours, he was obliged to destroy it "after some days." The same operator cut open a bitch, and while she was lying in torture brought to her her pups, which, notwithstanding her agony, she began to fondle and lick. Another dog, after being cruelly tortured, managed to escape, and sought to propitiate his tormentor by placing his paws upon his shoulders and licking his face, but in vain; he was strapped down again, and the torture continued. But such atrocities were not confined to France. At St. Bartholomew's Hospital 16 cats were cut open while under chloroform, their biliary ducts were tied, and they were allowed to remain in that miserable condition until they died, which in some cases was not for three weeks. Evidence was given that medical students, too, sometimes performed experiments upon live animals, apparently for amusement, for nothing new resulted from their inexperienced researches. With regard to the argument put forward by Professor Huxley, that none but men of science had a right to form an opinion upon this matter, he ridiculed it. He believed that these learned Professors could not safely be trusted with the powers they claimed with reference to this subject. It was impossible to know to what extent they would go. Under the present Home Secretary there was some guarantee that the experiments would not be carried to excess; but some day we might have some admirer of those scientific men for Home Secretary, and then God help all the poor dogs and cats of London! A dog was a most intelligent animal. His sense—it was more than instinct—soon detected what was going on, and there could be no doubt that when dogs were put in a place for the purpose of vivisection, and one of them after another was taken away, the remaining dogs, scenting blood, suffered in anticipation the torture that awaited them. In dealing with so intelligent an animal as a dog, we were dealing with a creature that suffered far more than inferior animals, which were unconscious of the fate that awaited them; and as regarded the argument that shooting and hunting inflicted more torture on the brute creation than vivisection, it was to contrast the aggregate pain of thousands with the concentrated agony of one — which was absurd. Besides, man was by nature a hunting animal, and there could be no comparison between killing fairly in the chase, or for food, and strapping a writhing creature to a board to torture it for hours. He did not pretend to a scientific view of the case, but he dreaded lest the power should be left in the hands of the vivisectors to practise such cruelties as those which he had described. He thought that sufficient evidence had not been advanced to show that the beneficial results were at all proportionate to the cruelties and suffering which the experiments involved, and, therefore, he had pleasure in seconding the Motion for the second reading of the Bill.

MR. M'LAREN said, he had listened with very great attention to the address of his hon. Friend the Member for Glasgow (Dr. Cameron), and although he did not agree with his conclusions, he certainly admired the talent and research, and the arguments which he had adduced. But it seemed to him that one large portion of his hon. Friend's argument was altogether beside the question which naturally agitated the public mind. His hon. Friend dwelt largely on the effects of poison, and the advantages which arose from experiments made with poisons upon animals. But the form of vivisection which the public complained of was not that animals were poisoned. The cruelty which the public protested against was taking a living dog or other animal, pinioning him down to a table, making incisions in his body, exposing his intestines—it might be his heart—or practically dissecting the body to show the nervous system, and doing all these things on animals for the alleged benefit of science. This was not a new agitation, nor was it an unreasonable one, because the society who worked in this great city for the protection of animals against cruelty were almost unanimously willing to consent to Lord Carnarvon's Bill as originally introduced by the Government. If that Bill had been allowed to pass into law, there would, he believed, have been very little, if any, agitation at

the present time. But that Bill was entirely altered. The Bill in its original shape showed a desire on the part of the Government to put an end to what was complained of as far as possible; but it was altered again and again until it became a kind of licensing Bill—a measure for licensing parties to do what the original Bill was intended to stop altogether. He admitted that in the present Home Secretary they found a very humane administrator; but that might not always be so, and, moreover, it was not a wise thing to make the option depend upon the goodwill of one man whether these laws should be administered or not. To show that what he had stated respecting the objects of the Society for the Protection of Animals liable to Vivisection was correct, he would read a passage from their Report, in which they stated—

"If Lord Carnarvon's Bill had been suffered to pass in its original form the Society would have recognized it as a tolerably fair compromise between humanity and science, and would have dropped further agitation."

That showed that the most influential parties engaged in the present agitation were not unreasonable men, who were prepared to set themselves against everything of this nature, but were willing to accept a fair compromise. It had been strongly alleged that the Royal Commission was, if not literally, almost altogether in favour of the present state of the law; that they discovered there was no real and solid cause of alarm or distrust, and that there was no great degree of cruelty manifested, so far as an opinion might be formed upon the evidence that had been laid before them. Now, the Royal Commission in their Report stated that very severe experiments were constantly performed, and witnesses had spoken from personal knowledge of the sufferings which had been often unnecessarily inflicted in the name of science. He thought that after such a statement it was really going too far to say that the Report of the Royal Commission was in effect to whitewash all the parties charged with cruelty in the matter of vivisection. They went on to say—

"It must be accepted as a proof of the willingness of men of the highest eminence in science to submit to the consideration of the Legislature this difficult question."

The Royal Commission here referred to the fact that the most eminent physiologists in London were averse to vivisection to the extent to which it had been carried; that they were most willing to put a stop to it, if not altogether, at least to a great extent; and that they were disposed to co-operate with the Government in promoting the Bill which was introduced on the subject. This showed that the leading men of the Medical Profession were in favour of something effective being done. What those opposed to vivisection now complained of was, that this had not been done, and they said that if the Legislature would not reduce its use to a minimum which would not affect the public feeling, they must insist on the abolition of the whole thing. He (Mr. M'Laren) did not contend for the absolute prohibition of vivisection; but he thought that the latitude that was at present given was much too great. Reference had been made in the debate to the alleged discreditable opposition that had been brought forward in some instances on the side of the question which he now supported. He did not know exactly what was referred to, but he was aware of opposition of a very discreditable kind that had been brought forward on the other side of the question. Not very long ago he had the honour of presiding at a public meeting in the city which it was his privilege to represent, and which contained the largest medical school in the United Kingdom. It was a meeting to hear a lecture on his side of the question, from a very eminent man, Dr. Childs, of London. And what was the discreditable conduct of their opponents? It was that a band of 40 or 50 medical students took possession of conspicuous parts of the room, and shouted, whistled, and stamped, and made every conceivable noise, so that it was impossible for the address to go on. He now spoke of what he saw, and he had then to declare that the lecture could not be proceeded with, and dissolved the meeting. When Dr. Childs was afterwards invited to a meeting held in a larger hall, a much larger body of students appeared at the second meeting than at the first, and effectively prevented the delivery of the address in support of the cause which he had now the honour to advocate. Dr. Childs, on both occasions, was put down by mere physical, brute force, by noise and

clamour; and if the word "discreditable" could be used at all, in connection with the discussion of this subject, he said that no proceedings could be pointed to in any part of the Empire to equal the discreditable proceedings that took place on the part of the medical students of Edinburgh in order to prevent the other side of the question from being stated. It was supposed after the first meeting, that the medical Professors would have used their influence to restrain the students, and keep them away from the second meeting; but, so far as his informants had been able to learn, no such efforts were made. His hon. Friend the Member for Glasgow had referred to the feeling, on this question, of a distinguished surgeon, now no more—Sir William Fergusson. He had not the evidence of Sir William Fergusson before him, which his hon. Friend had stated was to the effect that vivisection had, in certain cases, done good. He would not willingly impugn his hon. Friend's accuracy, because he knew that he would not make any statement which he did not think the evidence would bear out, but he (Mr. M'Laren) had a strong recollection that in reading that evidence, he found Sir William Fergusson declared that he had never known of any important discovery having been made through vivisection. The entire address of his hon. Friend was to the effect that to stop vivisection would be to stop scientific progress, and that the experiments that were made were necessary in the interest of science. He was informed, on very good authority, that in the larger medical classes many experiments were made on living animals, merely for the purpose of showing by observation to the students that things were true which they knew and believed to be true without those exhibitions of cruelty. In a respectable London paper this paragraph occurred respecting one of the Professors in the Medical School of Edinburgh, who was examined as a witness before the Royal Commission—

"Professor Rutherford has not been allowed to ask to repeat his old frightful experiment on the capillary organs of thirty dogs—an experiment conducted, as the Professor boasted at the meeting of the Royal Society in Edinburgh on 6th March last, without either chloroform or opium, and which Sir William Thomson, one of the most distinguished scientific men in the Empire, afterwards declared, in a letter to *The Scotsman* of the following day, is not justified by either the objects proposed or the results obtained or obtainable."

Now, he knew there were thousands of people whose feelings were harrowed by the cruel experiments, as they considered them, that were made in the medical school of Edinburgh. He knew also that this feeling had gone so far that parties who had subscribed liberally to the new building for extending the medical school had said that if they had known such practices existed they would never have subscribed one farthing. He cordially supported the second reading, but admitted that in Committee a few Amendments would have to be made in the Bill.

MR. FORSYTH, in opposing the measure, said, he was one of those who had originally joined heartily in the agitation against vivisection which resulted in the Act of last year, and he entirely sympathized with the motive of those who had brought forward the Bill. We all abhorred cruelty, but there was such a thing as zeal without discretion, and he thought the advocates of the Bill had let their zeal outrun their discretion. He believed that the Act of last year provided sufficient safeguards against further cruelties, inasmuch as it provided that no animal could be experimented upon, unless it was at the time as destitute of feeling as the table before him, with the further condition that it should be put to death before it passed from an insentient to a sentient state. They ought, he thought, to be content with that, without endeavouring to debar the surgeon from the whole field of discovery. He thought it was absurd that experiments should be prevented on living animals, when precautions were taken to absolutely annihilate the pain. If the object of the Bill had been to repeal a Proviso in the Act of last year, allowing vivisection without anæsthetics in cases where their use would frustrate the object of experiment, he should have voted for it. He could not believe that it was right for any scientific purpose to inflict pain on sentient beings. The Bill would not allow the making of even painless experiments with the view of discovering means of removing human suffering. It contained a provision against an infliction of wanton injury upon a vertebrate animal. That phrase included men, birds, reptiles, and fishes,

and excluded the whole insect world. He should like to know on what ground the Bill was limited in that manner? Why was the beetle, for instance, to be excluded? Shakespeare said—

> "The poor beetle that we tread upon
> In corporal sufferance finds a pang as great
> As when a giant dies."

It was the bounden duty of those who supported the Bill to show that, notwithstanding the Act which was passed last year, torture had still been inflicted upon animals, but not a single case had been adduced to-day. The supporters of the Bill had not shown that the Act of last Session had been evaded or was a failure, and as its operation had not yet been sufficiently tested, he should oppose the second reading of the present Bill.

MR. COWPER-TEMPLE observed that the hon. Member for Glasgow (Dr. Cameron) and the hon. and learned Gentleman who had just sat down (Mr. Forsyth) had argued on the assumption of the efficiency of the Act. It was too soon to judge of its results. Although the applications for licences had been few, for experiments in laboratories, where was the security that unlicensed cruel experiments had not been made? The names of the vivisectors were kept secret, and the Inspector must have great difficulty in discovering and proving any evasion of the Act. We knew that experiments were generally conducted in private laboratories; but the Act did not contain any effective machinery by which such evasion could be brought home to those who practised in those places. The Home Secretary did not give the names of the gentlemen who had received licences to make experiments, and the public had no means of ascertaining them. That was a new thing in the administration of this country. With regard to what had been said by the hon. Member for Glasgow as to the administration of chloroform to animals, in order that experiments upon them might be conducted without pain, it should be remembered that in the case of a human being, chloroform had to be frequently administered during a prolonged operation, and the human being could give notice that a fresh dose of chloroform was necessary, but animals could not do so. Again, it was not by any means certain whether the administration of anæsthetics had the same effect on the lower animals which they had on man. The application of anæsthetics was troublesome and expensive, and might often be ineffectual, unless especial care was used. In various parts of Europe lectures on physiology were accompanied by experiments on living animals which frequently involved great suffering and even torture to the animals operated upon. Those experiments were not made for the discovery of some new truth, but for striking illustration of lectures, and to demonstrate the effects and action of pain upon the nerves of sensation. If such a horrible system became the common method of studying physiology, it must tend to harden the feeling of students and make them indifferent to the infliction of pain, and he should like to hear some reason assigned why these most cruel and revolting exhibitions were so indispensably necessary? It was, he thought, creditable to the British nation that it had given more attention to the prevention of cruelty to animals than some Continental nations; but there was a danger of cruel physiological experiments being introduced from abroad which rendered it a matter worthy of serious consideration whether they ought not to have a more efficient and stringent Act on their Statute Book than the one of last Session. He did not say that they ought at once to pass another law on that subject; but he was glad that question had been again brought under discussion, because he feared that a spirit of reckless indifference to animal suffering would become prevalent unless effective means were taken before long to repress the abuses to which he had referred.

DR. LUSH said, that many of those who supported the Bill were animated by a fictitious, and in some respects factitious, enthusiasm. They spoke as if the Act of last year had not passed, and referred to experiments of a cruel and revolting kind, which could not now take place in this country. He thought that when Gentlemen of calm judgment spoke in that House of exposing to young persons the suffering and palpitating internal anatomy of living animals on the dissecting table, it was evident that people of less balanced minds would be still further carried away by their feelings on that question. He could not understand how the last speaker (Mr.

Cowper-Temple), believing in the existence of the horrible cruelties which he said were perpetrated in foreign Universities, could have had the heart to schedule those Universities in a Bill, as he had done, as fit places for the education of ladies. Everything relating to foreign countries, however, was quite outside the sphere of the present debate, and many of the speeches delivered that day would have been more appropriate when the Act of last year was under discussion. It was alleged to be unnecessary that actual physiological experiments should be carried out before persons who in after-life were to have the responsible care of the injuries and ailments to which men were subject; but he thought that if the high character of the British medical Profession was to be sustained, it was absolutely necessary that those who were to be our future practitioners should not be mere phantom physicians and surgeons, deriving their ideas from diagrams and papers only, but must have an opportunity of witnessing life as it existed. With regard to the conduct of the students of Edinburgh University on the occasion of the lectures in favour of the suppression of vivisection, he did not agree with the hon. Member for Edinburgh (Mr. M'Laren). He had attended many meetings at which young men had been present, and he had always noticed on their part a desire to act with discretion, and he could not help thinking that the hon. Member had cast an undeserved slur upon the beneficent society which existed in the University. The 3rd clause of that Bill would be practically inoperative, because there were many animals which for agricultural and other purposes underwent operations amounting to positive vivisection, and sometimes to vivisection in its grossest and most painful form, from which that clause would not protect them. He further maintained that the Act of last year had not had time to develop its power; while he also denied either that there was any desire on the part of medical men to evade that Act, or that the Home Secretary had shown any unwillingness to carry it into full and fair effect. On the other hand, a false cry of humanity had been raised in favour of the present Bill, which he trusted the House would reject by a large majority.

SIR GEORGE JENKINSON hoped that the House would adopt the principle of the measure, the details of which, if too drastic and stringent, could be amended in Committee. They could not enforce the law, unless they had a register of all those who were licensed; and he thought the most important provisions of the Bill were those which referred to the registration of places where vivisection experiments were carried on, because they afforded checks for the prevention of malpractices. He believed that if the Act of last Session had been passed in its integrity, it would have satisfied public opinion, and that there would have been no occasion to have brought forward the present measure. That Act, however, was defective in regard to ensuring the use of anæsthetics, which should, in his opinion, be made obligatory in all experiments on animals without exception. He trusted that the Bill would be read a second time so that it might be considered and, if necessary, modified in Committee.

SIR HENRY SELWIN-IBBETSON, speaking on behalf of the Government, said, that while as sincerely hostile as anybody could be to the cruelties complained of, he did not think that a sufficient case had been made out in favour of the present Bill. When they were told of the tortures inflicted by students experimenting on dogs in England, he must observe that those were the arguments used last year to induce them to adopt the measure on that subject which then became law. He could state from his personal knowledge of that Act that it had been entirely successful in effecting the purposes for which it was passed. It had been said that there was no means of knowing whether there had been any evasion; but he would remind the House that formerly no difficulty had been found in discovering cases in which pain had been inflicted on animals. A further allegation was that it did not provide that the animals experimented upon should be effectually protected from pain by the use of anæsthetics; but the fact was that the Act required the person operating to possess a scientific certificate and also to have the sanction of the Secretary of State, while the animal operated upon must be placed under the influence of some anæsthetic of sufficient power to prevent pain, and if the experiment was one which would cause it to

suffer afterwards, the animal must be killed before the effects of the anæsthetic had ceased. Not only had the Act worked as it was intended to do, but his right hon. Friend the Home Secretary had found in the whole profession of physiologists and those who practised experiments the greatest readiness and the greatest wish thoroughly to carry out the Act. Not a single instance of its violation or evasion had been adduced, and surely it would be absurd to repeal the Act and pass another which they had refused to accept last year. It had been frequently stated and circulated that the use of anæsthetics under the Act was entirely optional; but no allegation could be more misleading or contrary to the fact than that notion. Every precaution was adopted in respect to those licences, and there was only one instance in which an experiment had been sanctioned without the absolute use of anæsthetics. Any case of evasion, or of the infringement of the conditions of the licence, would soon be discovered. It was not the fact, as his hon. Friend (Mr. Holt) had suggested, that the learned Bodies issued these licences. The Secretary of State, having the opinion of learned and scientific men before him, issued his certificate upon his own responsibility, and no matter who might happen to preside at the Home Office at any time, the public opinion of the House and the country would be a guarantee against any Minister abusing his functions from any feeling in favour of vivisection. He could not consent to the second reading of the Bill, considering that sufficient time had not elapsed to ascertain the practical operation of the Act of last year, and believing that a proposition to repeal an Act of the Legislature within a year after its passing was quite unprecedented. He therefore asked the House to maintain the beneficial legislation it adopted only last Session, and which, while restraining the horrors that were perpetrated in days gone by, yet allowed, with comparative immunity from pain to the lower animals, those advances in medical science to be made which it would be contrary to the public interest to arrest.

MR. HOLT replied, remarking that if the Act of last year had been passed in the form in which it was originally introduced, the country would have been much better satisfied. Some future Home Secretary might licence experiments of as horrible a kind as any ever performed in this country or abroad; and he objected to a law permitting any man to authorize experiments of that character. He quoted a statement to the effect that young ladies at Girton College attended the lectures at the University Laboratory, and on reaching the more advanced course of demonstrations might be taken to see experiments in which rabbits were suffocated under the influence of chloral, which he believed, in the opinion of some physiologists, was not an anæsthetic. Was that, he asked, a fit school in which young ladies should study? He hoped that the hon. and learned Member for Marylebone (Mr. Forsyth) would vote for the second reading of the Bill, and then in Committee move to strike out the word "vertebrate." For himself, he was for protecting invertebrate as well as vertebrate animals, and he had only confined the Bill to the latter, in consequence of a representation that it would in that form better meet the views of the weak brethren.

MR. BROMLEY-DAVENPORT expressed a hope that next year a Bill would be brought in excluding dogs from the influence of anæsthetics.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 83; Noes 222: Majority 139.—(Div. List, No. 109.)

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

BURIALS BILL—[BILL 36.]

(*Mr. Osborne Morgan, Mr. Shaw Lefevre, Mr. Alderman M'Arthur, Mr. Richard.*)

SECOND READING. BILL WITHDRAWN.

Order for Second Reading read.

MR. OSBORNE MORGAN said, that it was not his intention to enter into any discussion on the Bill at the fag-end of a Wednesday afternoon. But he had another reason for not proceeding with the Bill, and that was that the Government had introduced in the other House a professedly sanitary measure dealing incidentally with the question raised by the Bill. And it

would hardly be consistent with Parliamentary propriety to have two discussions, one in each House, proceeding upon parallel lines. He had originally intended to postpone the Bill; but, on looking at the state of the Order Book, he found there was no possibility of its coming on again this Session, and he therefore thought the more judicious course would be to ask the House to allow him to withdraw it altogether. At the same time, he begged to give Notice that when the Government Bill came on for second reading in that House he would move a Resolution embodying the principles of his Bill, and asserting the right of Nonconformist parishioners to have their dead friends and relatives buried in the parish churchyard with services of their own selection, and by ministers of their own choice. In case the Government Bill should not reach that House — and such a contingency was within the bounds of possibility—he reserved to himself the right to bring forward his Resolution as an independent Motion. He would now only express the fervent hope, in which he was sure every party, he might almost say every man, in the House would join, that this unhappy and distressing controversy, which had agitated the country for so many years, might be closed speedily and for ever. The hon. and learned Member concluded by moving that the Order for the Second Reading of the Bill be discharged.

MR. RIDLEY, who had given Notice that he would move that the Bill be read a second time that day six months, remarked that the hon. and learned Member in the course he had just taken had consulted the convenience of the House, no less than the interests he had in view. He would only add that he cordially joined with him in the hope that the controversy on this subject might speedily be settled.

Motion *agreed to.*

Order *discharged:* Bill *withdrawn.*

ASSISTANT COUNTY SURVEYORS (IRELAND) BILL—[BILL 106.]

(*Mr. William Johnston, Mr. Chaine, Mr. King-Harman.*)

SECOND READING.

Order for Second Reading read.

MR. W. JOHNSTON, in moving that the Bill be now read a second time, said, that it was a Bill to enable the Grand Juries of Ireland to grant increased remuneration to the assistant county surveyors, and also, with the approval of the Lord Lieutenant, to grant them superannuation. The present salaries of these officials was fixed at a maximum of £80 a-year. Considering that they had all passed examinations as engineers, he thought it was impossible to obtain the services of a qualified man at such a salary. They had each of them to travel, perhaps, 1,000 miles in the course of a-year, and one of the provisions of the Bill would give the Grand Jury power to vote them a further sum for travelling expenses. He trusted that the House would read the Bill a second time. If there was anything in it which the Government regarded unfavourably, he should be happy to consider any Amendments which might meet their views. He had only further to add that he hoped hon. Members for Ireland would assist him in obtaining this small modicum of justice for a deserving, and, at the present time, badly-paid body of men. He concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. William Johnston.*)

MR. BIGGAR, in moving that the Bill be read a second time that day six months, said, the hon. Member who moved the second reading (Mr. W. Johnston) said it was a modicum of "justice to Ireland." He (Mr. Biggar) did not view it in that light. It was a Bill which proposed to take money out of the pockets of the ratepayers, without their consent. He knew very well what the duties of the assistant surveyors were, and he thought £80 a-year a very fair salary in relation to those duties; and, in his opinion, the Grand Juries should not have power conferred upon them to make orders to give them superannuations. As a matter of fact, they merely gave their spare time. ["No, no!"] He thought they were very fairly paid for driving, on an average, three miles a-day. He had several relations who had held the office, and as they did not give their time to it he thought they were already sufficiently well paid. They were certainly gentlemen of respectability; but he could not see why the Grand Juries

should have increased powers conferred upon them to impose increased expenses on the cesspayers; and he therefore moved the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Biggar.*)

THE O'CONOR DON ventured to say that there was no such persons as assistant county surveyors. They were only assistants to the county surveyors, and the difference was an important one, as these gentlemen were trying to get themselves recognized as independent county officers. Their position, he admitted, was one of the most anomalous kind. Although they were appointed by the county surveyors without the intervention of the Grand Jury, they could not be removed without the sanction of that body. He thought that legislation of the kind proposed by the Bill was rather premature until their position was more clearly defined, and placed on a more satisfactory footing, although he admitted that their salaries were at present small. From a public point of view the result of raising the salaries of the county surveyor's assistants would be an advantage. Practically, the greater portion of the county work had been thrown upon them; and it followed that if the salaries were too low, the class of men would not be the best in the profession, and they would also be open to temptations from contractors to accept remuneration in a manner that would not conduce to the benefit of the county. Believing that legislation was required on the subject he would not oppose the second reading, but should the Bill reach Committee, he would feel bound to suggest considerable Amendments.

MR. MACARTNEY supported the second reading of the Bill, taking exception to several of its provisions, however. The most objectionable part, he thought, was the Proviso giving the power of increasing the salaries of the assistant surveyors to the Grand Jury, without having previously obtained the assent of the magistrates and associated cesspayers at the baronial presentment sessions. That power, he thought, should be subject to some control from the ratepayers. The general tendency of legislation had been to give the ratepayers control in the county expenditure, and it would be unfair to make an exception in the present instance and deny the ratepayers a voice in the matter. He thought, however, that it would be well if, for the future, assistant surveyors should be fewer in number, better paid, and selected from a class of men fitted to succeed eventually to the office of county surveyors. The hope of ultimate promotion would induce a higher class of men to serve at first in the subordinate office.

MR. O'SULLIVAN said, that the only way to have good roads in Ireland was by paying the assistant county surveyors well. He knew the work they had to do, and therefore gave his hearty support to the measure. It had been stated that those surveyors did not travel many miles in the year, but they travelled not only 1,000 but over 6,000 miles a-year; and out of their salaries of £80 a-year they paid at least a third of that in expenses, leaving them only £60. He hoped the hon. Member for Cavan (Mr. Biggar) would withdraw his Amendment and allow the Bill to be read a second time, which might be amended in Committee.

MR. M'CARTHY DOWNING objected that the Grand Jury should have the power of deciding in the matter of salaries of those men; he was not in favour of superannuation. They were a most useful class of men, and their labour and services were very valuable, as the main part of the work was really done by them. The late Government showed every disposition to take the subject in hand; but the noble Marquess (the Marquess of Hartington) was prevented from doing so by pressure of other business. It was evident the men were underpaid, and all the objections urged by the hon. Member for Cavan (Mr. Biggar) could be dealt with when the Bill came to be considered in Committee. The men, as a class, were very dissatisfied. They had to do a great deal of important work, and they were badly paid. To say, as had been done by the preceding speaker, that a third of their income was expended in travelling expenses, was to understate the fact. He believed that half of their salary was so consumed, and that left the men only £40 a-year to live upon. Amendments might be made in Committee;

but, in his opinion, it would be only fair to give them something additional in the matter of pay.

MR. BRUEN said, he should vote for the second reading of the Bill, as he thought the assistant surveyors ought to be fairly paid.

SIR JOSEPH M'KENNA said, he had no objection to the Bill being read a second time, but several provisions would require careful attention in Committee. Before the House proceeded to a division, he thought they should have an understanding from the hon. Member who introduced the Bill that he was prepared to accept an Amendment limiting the power of the Grand Jury to grant increases to the salaries of the assistant county surveyors.

SIR MICHAEL HICKS-BEACH was of opinion that the Bill would require considerable alteration before it became law, and he certainly thought that the question as to whether the salaries should be raised ought to be referred to the presentment sessions as well as to the Grand Jury. The Government would object to the relations between these assistant-surveyors and the county surveyors being changed. As had been well observed, the former were assistant to the surveyors and were not county officers, and, therefore, he could not agree to the provision for pensions. He also doubted the wisdom of increasing the travelling allowances. The limit at present fixed for the salary, £80, he admitted, was unsatisfactory. This class of men occupied a responsible position, the duties of which were in many respects analogous to those of the surveyors to Highway Boards in England, and he did not think it was always possible to secure competent men at so low a salary. An increase, therefore, might very fairly be assented to; but as to what the precise limit should be, that would be a matter for consideration in Committee. Under these circumstances, he felt justified in supporting the second reading of the measure, as he felt sure that the hon. Member for Belfast (Mr. W. Johnston) would not object to have these points dealt with in Committee.

MR. SHARMAN CRAWFORD entertained very great respect for the assistant surveyors, whose duties, he knew from experience, were very arduous in measuring stones and in various ways assisting the surveyors. He agreed in the remarks of the hon. Member for Cavan (Mr. Biggar), that the Grand Juries should not have the settlement of those matters, and he should vote for the Amendment, as at present it was not desirable that any change should be made. That should be deferred until the House saw what form for county administration the measure which the Government intended to bring forward would assume. It might under a new system certainly change the position of these surveyors' assistants. He should be glad to see the position of the class improved, and if they were deprived of their private practice, and they did practice, some of them largely, then some compensating arrangement should be made; but at the present moment he felt it would be injudicious to make any change in the relation of this class to the surveyors. With that view he should vote for the Amendment of the hon. Member for Cavan.

MR. H. HERBERT said, he should vote against the Bill.

MR. PARNELL thought that the Bill had been brought forward at an inopportune moment; and that the hon. Member for Belfast (Mr. W. Johnston) and those who supported him would have better consulted the interests of a most meritorious class of men if they had postponed this question until the whole system of county administration had been brought before the country by a Government measure. It was his intention to vote for the Amendment of the hon. Member for Cavan.

MR. D. TAYLOR supported the Bill, and thought the position of the surveyors' assistants required consideration. Until a reform of the Grand Jury system was brought about, he believed the Bill would be for the benefit of the counties.

MR. CALLAN considered credit was due to the hon. Member for Belfast (Mr. W. Johnston) who introduced the Bill, and hoped it would be amended in Committee. He should support the second reading.

MR. W. JOHNSTON said, in reply, he could assure the House that he would receive all Amendments that might be proposed in a favourable manner.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 211; Noes 32: Majority 179.—(Div. List, No. 110.)

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *Friday* 11th May.

PIER AND HARBOUR ORDERS CONFIRMATION (NO. 2) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to confirm certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Aberbrothwick and Skerries.

Resolution *reported*:—Bill *ordered* to be brought in by Mr. EDWARD STANHOPE and Sir CHARLES ADDERLEY.

Bill *presented*, and read the first time. [Bill 154.]

MEDICAL ACT (1858) AMENDMENT BILL.

On Motion of Dr. LUSH, Bill to amend the Medical Act of 1858, *ordered* to be brought in by Dr. LUSH, Sir TREVOR LAWRENCE, Lord EDMOND FITZMAURICE, and Mr. GRANTHAM.

Bill *presented*, and read the first time. [Bill 155.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (GAS) CONFIRMATION (PENRITH, &C.) BILL.

On Motion of Mr. SALT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Local Government Districts of Penrith, Silsden, and Ynyscynhaiarn, *ordered* to be brought in by Mr. SALT and Mr. SCLATER-BOOTH.

Bill *presented*, and read the first time. [Bill 156.]

LOCAL GOVERNMENT PROVISIONAL ORDERS CONFIRMATION (ALTRINCHAM, &C.) BILL.

On Motion of Mr. SALT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Rural Sanitary District of the Altrincham Union, the Local Government Districts of Blaydon and Brandon, and Byshottles, the Boroughs of Nottingham and Stoke upon Trent, the Local Government Districts of Tong Street and Torquay, and the City of Winchester, *ordered* to be brought in by Mr. SALT and Mr. SCLATER-BOOTH.

Bill *presented*, and read the first time. [Bill 157.]

House adjourned at Six o'clock.

HOUSE OF LORDS,

Thursday, 3rd May, 1877.

MINUTES.] — *Sat First in Parliament* — The Lord Gormanston, after the death of his Father.

PUBLIC BILLS — *First Reading* — Removal of Wrecks * (59); Gas and Water Orders Confirmation (Brotton, &c.) * (60), and *referred* to the Examiners; Tramways Orders Confirmation (Barton, &c.) * (61), and *referred* to the Examiners.

Select Committee—Report—Public Record Office * (51-58).

Third Reading—Judicial Proceedings (Rating) * (37), and *passed*.

Withdrawn—Protection of Navigation * (53).

BLACK ROD.

The Deputy Lord Great Chamberlain acquainted the House "That Her Majesty had appointed General The Right Honourable Sir William Thomas Knollys, K.C.B., to be Gentleman Usher of the Black Rod in the room of Admiral Sir Augustus William James Clifford, Baronet, C.B., deceased, and that he was at the door ready to receive their Lordships commands," whereupon the House directed he should be called in; accordingly he was called in, and officiated in his place.

REPRESENTATIVE PEER FOR IRELAND.

Writs and Returns electing the Earl Annesley a Representative Peer for Ireland in the room of the late Earl of Bandon, deceased, with the Certificate of the Clerk of the Crown in Ireland annexed thereto—*Delivered* (on oath), and Certificate read.

RUSSIA AND TURKEY—THE WAR—THE SEAT OF WAR.

OBSERVATIONS.

EARL CADOGAN said, it might be for the convenience of their Lordships if he mentioned that it was intended to place in the Library of the House a map of the Seat of War, and that an officer from the Intelligence Department of the War Office would attend each day to mark off such changes as might occur in the positions of the contending armies.

REMOVAL OF WRECKS BILL [H.L.]

A Bill to facilitate the removal of Wrecks and other obstructions to Navigation—Was *presented* by The Lord ELPHINSTONE; read 1ª. (No. 59.)

GAS AND WATER ORDERS CONFIRMATION (BROTTON, &C.) BILL [H.L.] (NO. 60.)

A Bill for confirming certain Provisional Orders made by the Board of Trade under The Gas and Waterworks Facilities Act, 1870, relating to Brotton Gas, Guisbrough Gas, Bridport Water, Burgess Hill Water, Ruthin Water, and Pickering Gas and Water; And

tions put by the two hon. Gentlemen opposite.

MR. GOURLEY: The answer of the hon. Gentleman is scarcely explicit. I should like to read the second paragraph of my Question—

"Whether any international arrangement exists defining contraband goods; if not, if he will take such steps as Her Majesty's Government may deem necessary to procure an international schedule of contraband merchandise."

By way of explanation, I may tell the hon. Gentleman that the reason why I ask is is that at the present moment a large mber of vessels are bound with car- to Russian ports in the Black Sea, that those vessels, with their cargoes, bound to proceed until official notice ven of the blockade of those ports. of those vessels have coal on and during the American War as declared to be contraband of our own Government. What I e Government to do is this—to the shipowners and merchants country whether they consider a contraband of war or other- also to endeavour to bring arrangement with other Go- as to what is to be looked ontraband of war during the f hostilities between Russia

RKE: I am sorry that my not as explicit as the hon. uld wish, but I think I have e Question so far as I pos- f the hon. Gentleman wishes nformation on the subject, e of vast importance, not Government, but to all the f this country, and if he will ough to give me Notice, I y happy to answer his Ques-

RLEY: My Notice is already r. What I want to learn is Order!"]

AKER: If the hon. Member put a new Question, he is ve Notice of it.

URLEY: It is the same With your permission, I he second paragraph of it

ernational arrangement ex- nd goods; if not, if he will r Majesty's Government procure an international nerchandise."

THE CATTLE PLAGUE—COMPENSATION FOR COMPULSORY SLAUGHTER—LEGISLATION.—QUESTION.

MR. PAGET asked the Vice President of the Council, Whether, seeing the national importance of early information of an outbreak of Cattle Plague and with a view to afford reasonable inducement to owners of stock to declare the existence of this disease immediately on its outbreak, he will endeavour to provide by statute that compensation for compulsory slaughter of affected animals shall be awarded on a scale at least as liberal as that now in force in case of pleuro-pneumonia under the Animals Order, 1875?

VISCOUNT SANDON: Sir, I have referred the Question of my hon. Friend to the Lord President, and I hope, I need not assure him, that we fully appreciate the importance of the matter to which he has called attention. Considering, however, that these matters will shortly be investigated by the Committee, which we hope will be soon at work, we think we should not be justified in giving any opinion, and still less in proposing any legislation, respecting any part of the subject, until the Report of the Select Committee has been received.

MR. PAGET gave Notice that he would take an early opportunity of calling the attention of the House to the subject.

RUSSIA AND TURKEY—THE WAR—THE SUEZ CANAL.—QUESTION.

MR. MUNTZ asked Mr. Chancellor of the Exchequer, If, in view of the complications which may arise from the war between Russia and Turkey, it is the intention of Her Majesty's Government to take such steps, in concert with the other great Powers, as would secure the neutralization of the Suez Canal?

THE CHANCELLOR OF THE EXCHEQUER: If by the expression "neutralization" is meant an arrangement which would prevent, in time of war, the ships of war of any nation from passing through the Canal, that would be an arrangement which would prevent Her Majesty's Government from making use of the Canal for the purpose of sending the ordinary reliefs to and from India, and to such an arrangement Her Majesty's Government was not disposed to lend any aid. But Her Majesty's Government will be prepared to take steps for the protection of the navigation of the Canal.

RUSSIA AND TURKEY—THE WAR—CONTRABAND OF WAR.—QUESTIONS.

MR. COLLINS asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government, in view of the magnitude of British interests affected by the question, will propose to the Governments of Russia and of Turkey to specify what articles or merchandise on board ships of neutral nations they will empower Prize Courts in their respective States to adjudge as contraband of war?

MR. BOURKE: Sir, as there is another Question upon the Paper on the same subject by the hon. Member for Sunderland (Mr. Gourley), if the House will permit me, I will answer both at the same time. I need hardly remind the House that the question as to what is and what is not contraband of war has at all times given rise to much discussion. I need hardly also remind the House that there are certain things which are always called contraband of war, such as arms, military stores, gunpowder, and things of that kind. There are also other things which have been held to be contraband of war, according to their destination, and according to other circumstances, decided by the Prize Courts. It has never been usual for any Government, and certainly not for this Government, nor do I think it would be possible, to define what, under all circumstances, should be considered contraband of war; and I do not think that it would be in the interest of English merchants to call on belligerents to define what they consider to be contraband of war, because the effect of that might be that certain goods which have not hitherto been held to be contraband of war by a Prize Court might be declared by a belligerent Government to be contraband of war. Under these circumstances it is not the intention of Her Majesty's Government to call on the belligerent Powers to define what they consider to be the articles which ought to be included under the term contraband of war. At the same time Her Majesty's Government will watch very narrowly the proceedings of the

Prize Courts with the view of seeing whether any articles are declared to be contraband of war which have not hitherto been included in that category. I may mention that I have been asked privately by several hon. Members within the last few days whether certain articles are contraband of war. I do not mean to name the articles in detail, because I do not think it would be judicious. I may, however, mention one thing which is down in these Questions—namely, coal. That is one of the articles held by some Prize Courts to be contraband of war according to the destination, and also according to other circumstances which are to be adjudicated upon by the Prize Court. With regard to other articles mentioned by some hon. Members, I can only give the same answer, and I may add that until they have been declared by a Prize Court to be contraband of war it is impossible to give any definite answer on the subject. The Question of the hon. Member for Sunderland also proceeded to inquire whether we have received any official notification of the nature of the blockade and regulations intended to be established by the Turkish Government in the Black Sea, Bosphorus, and Dardanelles, and whether the Russian Government has forwarded official notice and regulations relative to the mining of harbours other than that of Odessa? We have not received any more information about the blockade of the Black Sea than that which I communicated to the House the other night. The regulations which we were told at that time were going to be issued by the Turkish Government have not reached Her Majesty's Government, and when they do reach us we shall not lose a moment in publishing them. In regard to mining operations carried on in certain ports belonging to Russia, I have not heard that any ports in the Black Sea have been mined except that of Odessa. Another question asked is as to the alleged destruction of a British vessel by striking a torpedo on entering Kertch. No information of that destruction has reached Her Majesty's Government, but we have sent a telegram to our Consul to inquire what has taken place. When the reply has been received, I shall be very happy to communicate it to the House. I think this answer will cover the whole of the subjects contained in the Questions put by the two hon. Gentlemen opposite.

MR. GOURLEY: The answer of the hon. Gentleman is scarcely explicit. I should like to read the second paragraph of my Question—

"Whether any international arrangement exists defining contraband goods; if not, if he will take such steps as Her Majesty's Government may deem necessary to procure an international schedule of contraband merchandise."

By way of explanation, I may tell the hon. Gentleman that the reason why I ask this is that at the present moment a large number of vessels are bound with cargoes to Russian ports in the Black Sea, and that those vessels, with their cargoes, are bound to proceed until official notice is given of the blockade of those ports. Many of those vessels have coal on board, and during the American War coal was declared to be contraband of war by our own Government. What I want the Government to do is this—to inform the shipowners and merchants of this country whether they consider coal to be a contraband of war or otherwise, and also to endeavour to bring about an arrangement with other Governments as to what is to be looked upon as contraband of war during the existence of hostilities between Russia and Turkey.

MR. BOURKE: I am sorry that my answer was not as explicit as the hon. Member would wish, but I think I have answered the Question so far as I possibly can. If the hon. Gentleman wishes for further information on the subject, which is one of vast importance, not merely to the Government, but to all the merchants of this country, and if he will be kind enough to give me Notice, I shall be very happy to answer his Question.

MR. GOURLEY: My Notice is already on the Paper. What I want to learn is this——["Order!"]

MR. SPEAKER: If the hon. Member proposes to put a new Question, he is bound to give Notice of it.

MR. GOURLEY: It is the same Question. With your permission, I will read the second paragraph of it again—

"Whether any international arrangement exists defining contraband goods; if not, if he will take such steps as Her Majesty's Government may deem necessary to procure an international schedule of contraband merchandise."

MR. BOURKE: I thought I answered that Question. No international arrangement does exist, and I think I said that in the opinion of Her Majesty's Government it would not be expedient for a neutral Government to ask a belligerent Government what they consider contraband of war.

TURKEY—MILITARY CONTRIBUTIONS OF EGYPT.—QUESTION.

MR. STACPOOLE asked the Under Secretary of State for Foreign Affairs, If he could state what is the amount of Force, Egypt is by Treaty obliged to supply on the demand of Turkey; and, whether Egypt is obliged to supply Troops on the demand of Turkey in addition to the Tribute she pays, or does the payment of Tribute cease when Troops are furnished?

MR. BOURKE: When the hon. Gentleman uses the word "Treaty" in the Question, I conclude that he means Firman. According to the Firman—or rather Firmans, for there are three of them, I believe—issued by the Porte to the Khedive, the latter is bound to send 30,000 troops to the Porte in time of peace, and that number may be increased in time of war according to what the Porte considers to be reasonable. The payment of the Tribute from the Khedive to the Porte has nothing at all to do with the furnishing of troops.

REGISTRY OF DEEDS (IRELAND). QUESTION.

SIR JOSEPH M'KENNA (for MR. MELDON) asked the Secretary to the Treasury, Whether any representations have been made to the Treasury by the late or present Registrar of Deeds in Ireland on the subject of uncompared documents, and what reply or replies have been made thereto; whether a special report was at any time made on this, amongst other subjects, relating to the office in the year 1865; and, whether a consolidated Dictionary Index on paper from the year 1870 to the present has not been compiled and is now in official use, and what steps the Treasury have taken to have such Index placed in the hands of the public, and how much of the surplus earnings of the office, amounting to £42,000 in the year 1867 and upwards, has been applied to render the office more useful and convenient to the public?

MR. W. H. SMITH: Sir, it is true that representations have been made to the Treasury from the Registry of Deeds in Ireland on the subject of uncompared documents. This matter was reported upon, among others, by a Departmental Committee in 1865. I am not prepared to lay their Report, which is a confidential document, on the Table of the House. A consolidated Dictionary Index has been prepared, and is in official use, but at present it is not intended to place it in the hands of the public. I am aware that the office claims that up to 1867 its surplus earnings amounted to the sum stated—namely, £42,000—but during the last 10 years the total annual cost of the office has largely increased, and, instead of a surplus, there has been a deficiency, amounting in the 10 years to about £26,500. The deficiency is annually increasing.

EPPING FOREST COMMISSION—THE EVIDENCE.—QUESTION.

MR. J. HOLMS asked the Secretary of State for the Home Department, If it is the intention of the Government to introduce a Bill this Session to give effect to the recommendations of the Commissioners on Epping Forest; and, if so, when?

SIR HENRY SELWIN-IBBETSON, in reply, said, the Home Secretary had already stated that he could not undertake to fix a time for the introduction of a Bill until the voluminous evidence had been printed. When it was it would be considered with a view to the bringing in of a Bill, although the present state of the Public Business was not very promising as to its passing. No difficulty could arise from the suspension of the powers of the Commissioners, as they would be alive until the end of next year.

CLOSING OF BURIAL GROUNDS. QUESTION.

MR. GREENE asked the Secretary of State for the Home Department, Whether there are any practical difficulties in the way of closing overcrowded churchyards or other burial grounds?

SIR HENRY SELWIN-IBBETSON, in reply, said, there were no actual

difficulties in the way of closing burial grounds, but from the fact that the Home Office was not in connection with the officers who looked after the sanitary arrangements of the country. There were some difficulties, which would be overcome by the transfer of the authority to the Local Government Board. The present practice was for a complaint to be made, for an inquiry to be made into that complaint, and for an order being made in Council following on that inquiry for closing the churchyard.

NAVY—NAVAL OFFICERS ON THE RETIRED LIST.—QUESTION.

CAPTAIN PIM asked the First Lord of the Admiralty, If he will state on what authority officers on the Retired List can be called on for active service, and in what respect they differ from officers on the Reserved List or on half-pay in their liability for active service; whether the liability of retired officers to be called on for active service is regulated by Order in Council or by the Statute Law; and, if he will inform the House the authority by which

"The Admiralty has power to remove from the list of the Royal Navy any officer whatever, whether on full-pay, half-pay, or on the Retired List, and this without reason assigned?"

MR. A. F. EGERTON (for the First Lord of the Admiralty) said: Sir, I have to inform the hon. and gallant Member that officers on the Reserved or Retired List can be called upon for active service by Order in Council, according to the Queen's Regulations, cap. 7, sec. 3, art. 1. The power of the Admiralty to remove the names of officers from the list of the Royal Navy rests on immemorial usage, and is an exercise of the prerogative of the Crown.

MERCHANT SEAMEN'S BILL—LEGISLATION.—QUESTION.

MR. BURT asked the President of the Board of Trade, If he can state when the Government will introduce their promised Bill to amend the Law relating to breaches of contract of seamen?

SIR CHARLES ADDERLEY: Sir, I have a Bill entitled the Merchant Seamen's Bill, already drafted, dealing with both breach of contract and discipline of seamen, and I am only waiting the earliest opportunity to ask leave of the House to introduce it.

LICENSING ACT, 1872—SALE OF LICENSED PREMISES.

QUESTION.

SIR GEORGE JENKINSON asked the Secretary of State for the Home Department, Whether his attention has been directed to the frequent and increasing practice of the purchase by brewers of licensed premises when sold after the death of a former owner—thus creating a new claim for vested interest and an encouragement to drinking, and thereby neutralising the intentions and efforts of the legislature; also the practice of single justices (not acting in public or in Court) of granting an extension of hours for drinking; and, whether he will take any steps, by legislation, or the issue of a circular and other means, to endeavour to check the evils arising from the prevalence of the practices above described?

MR. ASSHETON CROSS, in reply, said, the Secretary of State could have no knowledge of the purchase by brewers of licensed premises after the death of the former owner, and he could not prevent the purchase of such premises by brewers. As to the second part of his Question, he had to inform the hon. Baronet that a single justice had no power to grant an extension of the hours for public-houses to be kept open on special occasions; that could only be done by two justices of the peace in petty sessions assembled. He was, however, of opinion that the merits of each application for an extension of the hours should be carefully considered, and, if possible, a uniform system be adopted, so as to prevent different rules being laid down in different parts of the country. There were difficulties, no doubt, in the way; but the magistrates, when they assembled at quarter sessions, might consider and discuss the whole question.

POOR LAW GUARDIANS — ABUSES AT ELECTIONS.—QUESTION.

MR. HIBBERT asked the President of the Local Government Board, Whether his attention has been directed to the abuses which have occurred in many places during the last few years in the

election of the guardians of the poor; whether in consequence of the dissatisfaction caused thereby he is prepared to recommend such an alteration of the Law as would permit the votes to be taken by ballot instead of by voting papers; and, whether the tenure of office for which guardians are elected might not be advantageously extended from one to three years?

MR. SCLATER-BOOTH, in reply, said, that the number of contested elections for Guardians of the Poor in 1874 was 630, and in 1875 it was 720. Complaints had been made of malpractices, but many of them had not been well founded, and in 1874 it had only been found necessary to hold an official inquiry into two cases. Under these circumstances, he did not feel it necessary to recommend such an alteration of the law as would permit the votes to be taken by Ballot. Apart from the advantages of the use of the voting paper, the substitution of the Ballot would lead to increased expense. With regard to the tenure of office by Guardians being extended from one to three years, the subject had been frequently brought before him by Boards of Guardians themselves, but he was not prepared to make any general alteration on the subject. He should, however be very glad to try the experiment in places where the feeling for the change prevailed. That feeling he believed existed to a great extent in Lancashire and some parts of London.

RUSSIA AND TURKEY—MAPS OF THE SCENE OF WAR.

MR. GATHORNE HARDY stated that he proposed to place in the Library of the House, for the inspection of hon. Members, maps of the scene of war, marked from time to time by an officer of the Intelligence Department, which would afford assistance to those Members who wished to follow the progress of the war.

NAVY—NAVAL COLLEGE—THE SITE. QUESTION.

MR. A. F. EGERTON (for the First Lord of the Admiralty) asked the hon. Member for the Isle of Wight to postpone the Motion of which he had given Notice for to-morrow night in reference to the proposed site for a Naval College. He was sorry to say it was very doubtful whether his right hon. Friend the First Lord of the Admiralty could be in his place to-morrow, and, even if the Motion were brought on it would be impossible for the First Lord to state what decision the Admiralty had arrived at, because the right hon. Gentleman was still waiting for some sanitary Reports as to other sites that had not yet been received.

MR. BAILLIE COCHRANE said, he was anxious to meet the wishes of the right hon. Gentleman the First Lord of the Admiralty. The question had been postponed three or four times, and it would be of great convenience to hon. Members interested in it if the right hon. Gentleman would assist him by giving him a day to bring it forward, or give him a promise that the Admiralty would not act on the Report in favour of Dartmouth until the matter had been fully discussed.

MR. A. F. EGERTON said, he thought his right hon. Friend the First Lord of the Admiralty would allow him to give that pledge—that no decision would be arrived at until after the subject had been discussed in that House. As to securing a day for the discussion that was not within his province.

ORDERS OF THE DAY.

UNIVERSITIES OF OXFORD AND CAMBRIDGE BILL.—[BILL 113.]

(*Mr. Gathorne Hardy, Mr. Assheton Cross, Mr. Walpole.*)

COMMITTEE. [*Progress April 30th.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 16, (Objects of statutes for University).

MR. COURTNEY moved, in page 6, line 1, to leave out "either at any College or Hall within the University." His object was to provide that the appointments to Scholarships created by the action of the Commissioners to be appointed under the provisions of the Bill should be confined to unattached students.

MR. GATHORNE HARDY said, the question had been fully considered, and he did not think any hardship could be inflicted upon unattached students by the provisions of the Bill as it stood. The Commissioners would have power

to make special rules with regard to the Scholarships in question. He could not, therefore, accept the Amendment.

Amendment *negatived.*

MR. LOWE moved an Amendment on the clause with the object of securing an "examination by the University of all persons seeking to be matriculated." He understood that in the existing course of the Universities of Oxford and Cambridge there was no examination before students were admitted. The person seeking admission might be in the most lamentable state of ignorance, and yet be admitted to the Universities. There was an examination in several of the Colleges, he did not know of what sort; but he thought the present was an unsatisfactory state of things, as without such examination as he proposed a great deal of time, which otherwise might be turned to better account, must be wasted on elementary instruction. The Universities ought not to be occupied in mere teaching, that belonged to public schools. Mr. Pattison, Rector of Lincoln, a scholar, and a gentleman who had paid great attention to the subject, while pointing out in a work of his the existing unsatisfactory state of things, argued that, though the Universities had no examination, the Colleges had, and that beyond that put forward in the Responsions, the University examination would be of no use at all. But from the fact that a great many persons were plucked at the outset, the inference was rather in favour of the value of such examinations. The University examinations would be more strict than those of the Colleges; and if the thing was worth doing at all it was worth doing well. It would tend greatly to raise the standard of instruction at the Universities if such examinations were granted, and it would also have the important collateral effect of keeping schools up to the mark. The principle of the proposal was already admitted in some of our best Colleges and Universities, and he hoped it would be adopted in this Bill.

Amendment proposed,

In page 6, line 5, after sub-section 8, to insert the words "For the examination by the University of all persons seeking to be matriculated."—(*Mr. Lowe.*)

MR. GATHORNE HARDY said, the Amendment seemed at first sight to promise great advantage, but on studying it carefully he was not prepared to admit it into the Bill. His right hon. Friend wished to have such an examination that nobody who was not perfectly qualified should be admitted into the University; and he supposed, which was contrary to the view that he had generally taken, that the University was the teaching power, and not the Colleges. At present the Responsion was the first University examination, but the Universities had so many examinations now to conduct, that he (Mr. Hardy) could not think it was advisable to add another. Many of the College examinations were as hard as the Responsion, and a question had been raised whether the Colleges were not straining out men too much by their examinations. The object of the Committee should be, not to make the Universities exclusively for honour men; pass-men gained many advantages by their connection with the University, learning a good deal, and being brought into contact with men of great ability. As to plucking, he could point out to the right hon. Gentleman at least one in a very remarkable list connected with this Bill who had been plucked in the Responsion, and if he had been excluded from his future career in the University, the world would have lost a great deal. Under the circumstances, he thought there was no ground for altering the present system. The University had already the power in its own hands. It could at any time lay down a rule that no one could be a member of the University, unless he passed a certain examination; and, therefore, there was no use empowering the University to do what it could do now.

MR. BERESFORD HOPE said, he was glad to hear the remarks of the right hon. Gentleman the Secretary of State for War, and thought the proposal of the right hon. Gentleman opposite (Mr. Lowe) had this great fault—that it really amounted to an arbitrary dictation to the Commissioners that they should insist upon the Universities reforming themselves after one exclusive model and no other. The present system could be so extended as to provide that no one without a reasonable amount of knowledge should enter a University. ["No!"] Trinity, as well as some other Colleges, he believed, at Cambridge had an entrance examination which answered to the Responsions at Oxford. The exami-

nation for the degree used to be taken at the end of the career of a non-honour man; now it was divided into two, the earlier part being taken in about two years, after which he had at his own option to go up for a second examination in some special subject. Thus, for a Trinity non-honour man, there were in all four examinations, varying in character—entrance, little-go, general and special, besides the intermediate College examinations. He was astonished at the financial argument of his right hon. Friend the Member for the University of London, who said the Colleges wished to let in men easily in order to fill their rooms, &c. So far from the Colleges going into the highways and byways to tout for men, there was a tendency to raise the examination standard almost to a degree which some old-fashioned persons might think not desirable with the view of meeting the pressure of so many men coming in. The difficulty of the University, on the other hand, was a want of resources. But the object of the Bill was to take money from the rich Colleges in order to enrich the poor University, and the experiment, such as it was, had best be tried without the interference of his right hon. Friend's suggestion. He trusted that the Committee would not accept the Amendment.

MR. OSBORNE MORGAN said, it might be true that there was a preliminary examination at Cambridge. [An hon. MEMBER: There is not.] He left Cambridge men to speak on that, but certainly that was not the case at Oxford. Every College there had an examination of its own, or dispensed with an examination altogether. There were 14 or 16 different standards of examination. At his College, Balliol, the standard which those entering the College as fresh men had to satisfy was exceedingly high — almost an honour standard. He remembered that when he was at Oxford there was one Hall which was called a back door of the University, because men could slip into the University by that door without examination at all. Was that a proper state of things? There should be a general matriculation examination, so as to exclude those who could never be taught anything, and went to the University merely to waste their time. The clause of his right hon. Friend was merely an enabling clause—it left the subject to the judgment of the Commissioners, and, therefore, he would support his right hon. Friend if he went to a division.

MR. GORST said, in most of the Colleges at Cambridge there was no entrance examination at all. It would be unfair to allow students at Colleges to enter upon easier terms than the poorer unattached students. He should support the Amendment. It did not propose to legislate for the University, but merely suggested to the University in what direction it should legislate for itself.

MR. KNATCHBULL-HUGESSEN said, that there was more in the Amendment than at first appeared, and that if adopted it would change the whole character of our English Universities; and although it was true enough as regarded most of the points raised, that this was only an enabling clause and it might be left to the discretion of the Commissioners to deal with them or not, yet it was different in the present case, which was whether or not to give a *quasi* direction to the Commissioners to introduce a new principle into the Universities. The real point was not whether there should be a preliminary examination, but whether it should be uniform and conducted by the University instead of by the Colleges. It was a mistake to suppose that the Colleges at Oxford admitted students without examination. Some, no doubt, were more lax than others, but upon this point as upon some others, he could not help saying that his right hon. Friend (Mr. Lowe) seemed to speak of the University as he knew it 30 years ago, since which time great changes had been effected. In Balliol, University, and some other Colleges the standard of matriculation was high, and the result secured an aggregation of clever and reading men in those Colleges. In most of the other Colleges young men were required to pass an examination, showing them to be fit to pass their Responsions, and the unattached students were subjected to a similar examination before they were allowed to enter the schools for their Responsions. This Amendment would be changing the existing system altogether. No doubt the standard differed in different Colleges; but did they want all men to go in for honours, or did they want or-

dinary men as well as extraordinary, to go to the University? He did not think it desirable to have a uniform examination conducted by the University. If they did so, the standard must either be high; in which case, many men would be kept from the University who under the present system, went there with great advantage to themselves; or it must be low, which would prevent the aggregation of talent in Colleges which now obtained that result by strict examinations. He held strongly the opinion that the first entrance to the University should not be made too difficult, and that the subsequent and regular University examinations should be the real tests of proficiency.

MR. A. MILLS said, that in some Colleges the entrance examination was too high, and in others it was too low, and in others there was no examination whatever; for that reason he should like to see the matter in the hands of the University. The Amendment would put an end to such an unsatisfactory state of things. He should therefore support it.

SIR WILLIAM HARCOURT thought that, as by matriculation a man became a member of the University and not a member of a College only, the University as a whole should determine what were the conditions on which students should be admitted to that body. The greatest curse to the University was a class of Colleges which would notoriously admit anybody upon any terms. He should support the Amendment, inasmuch as it would exclude the dunces and idlers who went to the Universities without ever intending to take a degree, but merely for pleasure, just as some men went into the Guards, and whose presence there was injurious to the discipline of the place. Surely the University ought to be able to say it would not admit a man to come to a place of study unless he knew something and intended to learn something more.

MR. MOWBRAY opposed the Amendment as unnecessary. He believed that at Oxford every College had a preliminary examination for students. There were between 250 and 300 unattached students who were examined by delegates appointed by the University. Within the last few years the University had appointed a body of delegates to conduct examinations at public schools, and there were many of the boys now at school who had passed the examinations conducted by the delegates appointed by the University. The present system was an elastic one which was adapting itself to existing requirements, and would do all that could be desired if time were allowed.

MR. WALTER said, there were some words wanting to his right hon. Friend's (Mr. Lowe's) Amendment, which, if they were inserted, might induce him to vote for it; otherwise he regretted that he could not do so. The words he would suggest were "in lieu of the present college matriculation examinations;" because there could be nothing more cruel to young men entering the University than that they should have first to pass through a University matriculation examination and then have to undergo a second examination to get into a particular College. In the case of unattached students, a University examination might be a very proper thing, because those students did not belong to a particular College. But the proposed University examination, if it was to be good for anything at all, ought to be good for the Colleges as well as for the University. He doubted whether the idea of making certain Colleges *corps d'élite* was good either for the young men or for the Colleges. The attempt to maintain such a standard as that of Balliol would require them to drive away at once two-thirds of the undergraduates. That would be a bad thing. No University could do anything of that kind, and it would be ridiculous to attempt it. If they were to have a University examination, it must be a more moderate one than the examination which now existed in certain Colleges; but, on the other hand, a second examination ought not to be insisted on for admission to a particular College. He, therefore, hoped that his right hon. Friend would accept the words he had suggested as an addition to the Amendment.

THE CHAIRMAN asked whether the hon. Member moved the insertion of the words?

MR. WALTER said, he was willing to do so if the right hon. Gentleman agreed to that course.

MR. LOWE agreed with the view of his hon. Friend who had last spoken, but thought that by his suggestion they

might, perhaps, be going too far in the way of interference. It would be wrong in his opinion to limit the powers of the University without a full discussion of the question. It was quite conceivable that there might be some better mode of dealing with the matter than even the one which his hon. Friend proposed.

MR. FORSYTH admitted that his opinion had been somewhat changed in the course of the discussion, and he was now disposed to vote for the Amendment of the right hon. Member for the University of London. It was rather preposterous that there should be no general rule among the Colleges on that subject.

LORD EDMOND FITZMAURICE observed that the right hon. Gentleman (Mr. Lowe) having always argued that the Colleges were the teaching bodies and the University was the examining body, was perfectly consistent in now proposing that the examination should be conducted by the University, and not by the Colleges. The right hon. Member opposite (Mr. Mowbray) urged that the University had appointed an Examining Board which was now practically carrying on a matriculation examination. But that was an argument for the present Amendment, and not one against it.

MR. J. G. TALBOT opposed the Amendment because it would introduce an uninteresting uniformity in the Universities, and might operate unjustly towards the dull men. If Mr. Carlyle's description of the great body of the people of this country was true, the majority of the students must be below the high standard advocated by some right hon. Gentlemen. He hoped that a standard would not be adopted which would keep out ordinary men.

MR. STAVELEY HILL contended that Balliol College, for instance, would not accept an ordinary University standard for a matriculation examination. He opposed the Amendment, not because it was not a very desirable Amendment in itself, but there were so many difficulties in the way of carrying it into practice that it would cause greater evils than those it was intended to remedy. He believed he was correct in stating that there was no entrance examination in the Scotch Universities.

MR. GRANT DUFF said, the statement of the hon. and learned Gentleman was perfectly correct. There was no entrance examination in the Scotch Universities, and Scotch educational reformers deeply regretted it. But why was there no entrance examination at the Scotch Universities? Simply because a good many of their students were so miserably poor that they could not obtain adequate preparation. Was that the case at the English Universities? Surely not. Why the only people for whom there was a University entrance examination at Oxford and Cambridge were the unattached students—that was, the poorest students.

MR. HENLEY believed that the Amendment would shut the door to that large class of persons called "unattached students." They were an important element of our University system, and nothing should be done to deprive them of the advantages they now received from a University training. He regarded the Amendment as a very retrograde step.

MR. MOWBRAY explained that the examination of unattached students was not a University education.

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 180; Noes 239: Majority 59.—(Div. List, No. 111.)

MR. GREGORY moved to insert in page 6, after line 5, the following words:

"For regulating the residence of undergraduates and the duration thereof, and the number of terms to be kept by them as qualification for a degree."

He said, under the present system young men had practically to reside three years at a University before taking their degree, and it seemed to him that it was a great hardship to require so long a residence from many who might be perfectly able, if they applied themselves to work, to take their degree in a shorter time. He did not think, generally speaking, that young men were qualified to enter a University before 18 or 19, three years' residence brought them to 21 or 22, and if they had to go to the Bar or to medicine they would require two or three years' additional study before they would be able to practice at their Profession. That would bring them to 24 or 25 before they could earn a shilling for themselves. In addition to this, the fact of having more time to prepare for his degree than was necessary tended to demoralize a young man rather than

otherwise. There was also another consideration. The expenses at the University were not much less than from £200 to £250 a-year, which to a large number of persons was a considerable sum, and to many parents was a question of capital rather than of income. Now, if we could save the young men a third of the expense and enable them to go to a profession a year earlier than at present, it would be conferring on them a great benefit, without, as he believed, any injury to the University.

Amendment proposed,

In page 6, after line 5, to insert the words "For regulating the residence of undergraduates and the duration thereof, and the number of terms to be kept by them as a qualification for a degree."—(*Mr. Gregory.*)

Question proposed, "That those words be there added."

MR. RATHBONE supported the Amendment, on the ground that to oblige young men in all cases to spread their University education over so many years neither tended to raise the tone of University education, nor did good to the young men themselves. He had spoken to many men who had not only been at the University, but distinguished themselves there, and they told him that the first year they did very little work, the second year they put on more steam, and they made a spurt at the end. Therefore, there was much useful time wasted under the present system. It might fairly be said that the tone of Oxford was too sceptical and critical, and not sufficiently practical. A very distinguished man had even told him that he considered an upper fourth form boy in some respects better fitted for practical life. The degree of Bachelor of Arts, at all events, should be allowed to be taken at the end of two years if a man passed the necessary examination, and that of Master of Arts might be reserved for longer residence. Two years would certainly enable a student to go through a very sufficient course at the University, to give him a foundation which, followed up by reading afterwards, would render him a very useful member of society. At present, a boy stayed in the sixth form of our public schools, under very admirable discipline, until he was 18 years old, and adding to that four years at the University, and two or three years for learning a business or profession, he would be 25 before he began the practical work of life. In these days there was often no time for an education so prolonged which would be practically unavailable except to those who had a profession not only ready for them, but which would be kept waiting for them. He hoped that power would be given to the Universities to include men who were anxious to add culture to their business qualifications, and he was confident that this could be done without diminishing the significance of the University degrees.

SIR WILLIAM FRASER said, as one of those who by privilege, though with the same examination as others, had taken his degree in two years, that in his own day the feeling was that three years was too long a time to spend in reading for an ordinary degree. There was nothing objectionable or revolutionary in the proposal that the Commissioners should have power to consider whether an alteration should not be made in the present system. He considered, too, that the Long Vacation ought to be shortened.

MR. GOSCHEN wished to point out that there were two separate branches of the question; first, the actual time, or the number of terms, spent by undergraduates at Oxford; and, secondly, the length of those terms. The time, then, might evidently be curtailed in two ways. He would suggest the addition of the words "for regulating the residence of undergraduates and the duration thereof and the number of terms to be kept," an addition which would not involve the cutting down of the terms. The time spent at the University might be the same as at present, but put into a smaller number of years. Certainly the arguments for a shorter time were very strong; but, in his opinion, it would be better to lengthen the terms than to shorten the time required for study. Those who were in favour of the Amendment did not wish to diminish the aggregate standard of work necessary for obtaining a degree, or to lay down any definite rules, their object being to direct the attention of the Commissioners to this important subject and to give them powers to deal with it.

MR. OSBORNE MORGAN considered the Amendment valuable, and remarked that it had always been his opinion that men went up to the Universities too late and stayed too long. He had been very

glad to hear the hon. Member for Liverpool (Mr. Rathbone) express his views on the matter. Those views bore out what he had himself heard in Manchester lately. He asked some friends there if they considered the expense of a University education too high, and if they would send their sons to the Universities if the expenses were lower. Their answers were—"No; we are not influenced not to semd our sons to the Universities by the consideration of the expense. Money we can spare for the object; but we are influenced by the too long time necessary for them to obtain their degrees; and we are anxious to bring our sons into business earlier than a University education will admit." Persons who intended to go into business as solicitors, merchant, &c. were now in the habit of going to the Uuiversities, and he thought they ought to be enabled to curtail the period of study by one year.

MR. GOSCHEN suggested to amend the Amendment by inserting the words "and length."

MR. GREGORY expressed his willingness to add the words suggested by the right hon. Gentleman to his Amendment.

MR. J. G. TALBOT, though sympathizing with a great deal which had been said, felt bound to oppose the Amendment, as he did not believe it possible to crowd into two years what now required three years. It, moreover, interfered with the internal arrangements of the Universities, which had far better be left in their own hands.

LORD EDMOND FITZMAURICE said, he was strongly in favour of the Amendment.

MR. BERESFORD HOPE agreed that it was desirable that the members of artistic and other professions should enjoy the advantage of a short University career; but this was a matter relating to internal studies, with which this Bill—very properly, as he thought—did not propose to interfere. The Amendment had much good in it, and he did not see why there should not be a class of undergraduates who should recognizedly go to Oxford or Cambridge, not for the purpose of taking the Arts degree, but to pass creditably their Little Go, or Moderations. Still, this was a matter of internal regulation which ought to be considered by the Universities themselves.

MR. JAMES was of opinion that a reform in the direction indicated by the Amendment would never be effected if it were left entirely to the internal administration of the University. The Fellows themselves were the greatest opponents of any curtailment of the period.

MR. GATHORNE HARDY said, he did not think the Amendment was very appropriate to the clause upon which it was submitted. That clause began "with a view to the advancement of art, science, and other branches of learning," and he could hardly see how the Amendment would tend to advance art, science, or other branches of learning. The Amendment, on the contrary, was intended for the benefit of certain classes in the country. He would not take objection to it, however, on that ground, because he had a strong impression that a University education was desirable for the professional classes. His reason for opposing the Amendment was, that he did not wish by this Bill to interfere with the internal administration of the Universities. The object of the Bill was to give the Universities power to improve themselves, which they did not at present possess. They, however, at the present time, possessed the power to shorten the term of residence, and he had heard that preparations were being made at Cambridge to try an experiment upon the subject. Personally, he should be very glad to see a shorter period of residence allowed to persons who chose to qualify themselves for a degree.

MR. GOSCHEN said, he could not quite accept the position of the right hon. Gentleman in reference to the interference of Parliament in this matter. The interests of the Governing Bodies of the Universities might not be in conformity with the wishes of Parliament. The academical terms had been in existence for a very long period, and there had been no movement on the part of either University to curtail the period of residence. This, he thought, was a matter which ought not to be withdrawn entirely from the cognizance of the House.

LORD FRANCIS HERVEY regretted that the right hon. Gentleman in charge of the Bill had not accepted this most reasonable Amendment. He would prefer that the Amendment should be carried rather than the whole of the Bill. He would not dwell upon the economical

advantage of the Amendment, but urged its adoption mainly on the ground that it would contribute most materially to "the advancement of art, science, and learning." It was a scandal, which was being more and more felt, that the Universities should practically be lying idle for more than half the year, and he, therefore, begged to move to amend the proposed Amendment by the insertion, after the word "number," of the words "and length," so that the Commissioners might have power to prolong a term if they thought fit.

Amendment amended, by adding, after the word "number," the words "and length."

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 135; Noes 143: Majority 8.—(Div. List, No. 112.)

LORD EDMOND FITZMAURICE moved, in page 6, to leave out sub-section 11, and to insert (as one of the purposes for which the Commissioners might from time to time make provision)—

"For erecting and founding any office connected with any special educational work done out of the University under the control of the University, and for remunerating any secretary, officer, or officers employed in the management of such educational work: Provided always, That the performance of such educational work shall not entitle a person to hold a Fellowship in any College for a longer term than seven years."

The noble Lord said the University of Cambridge had recently established a syndicate to promote teaching of a higher character in the large towns. The work of this syndicate had been very successful. It employed men of the highest distinction, who taught very large classes. The salaries and other expenses of the teachers were paid by the large towns. The University at the same time had appointed another syndicate on University teaching in the University. This syndicate had recommended a large increase in the number of University teachers. It was believed by many persons that the two systems might be brought into connection—the system inside and that outside the University—and that the teachers in the large towns should hold their appointments direct from the University, and have the position and status of University teachers, while continuing to be paid, as at present, by the votes of the large towns for University teaching. If that were done, they would come within the terms of those clauses which in several Colleges it had been proposed to confer, under new statutes, upon University teachers—that was to say, they would be able to retain their Fellowships for the performance of such work. In order, however, to prevent too large a number of Fellowships being held in this manner, he proposed to limit their tenure to seven years, more especially as he was informed by Professor Stuart, that there was a wish to treat these University Lectureships away from the University as probationary posts, from which the occupant would be promoted to posts within the University after a certain length of service. A clause similar to that he was proposing was among the revised Trinity statutes, and he had received strong evidence of support from many influential members of both Universities. The Amendment also proposed to enable the University to pay the secretary and inspectors for the work done in the large towns, but not the teachers. On this latter point he did not understand there was much difference of opinion between hinself and the right hon. Gentleman.

MR. BERESFORD HOPE thought that the proposal of the Government and that of the noble Lord were in effect the same, both being to enable the Commissioners to make provision for carrying on the same good work of University extension, not by means of confiscation of College revenues, but by sending teachers to the large towns. He feared, however, that the Amendment was so drawn as to admit of the appropriation of University funds to the payment of secretaries and so on who would be located out of the University, and would be as much municipal officers as a town clerk.

LORD EDMOND FITZMAURICE assured the Committee that nothing was further from his intention, and he believed the clause was framed to carry it out.

MR. MUNDELLA, as one connected with towns in which the University Extension scheme was being worked with great success, wished to say, on the part of those towns, that they desired to pay

for all the teaching they received. The relations of those towns with the University Staff were characterized by mutual regard and appreciation, and the towns were only anxious that the members of the staff should lose no advantages. The object of the Amendment was to authorize the payment of an organizing Staff, such as a secretary to the syndicate and an inspector to examine and report upon the work done in the towns, which supervision would be undertaken on account of the University. For all besides that the towns were willing and anxious to provide, regarding University extension as the greatest educational movement of the time after the development of elementary education. The towns could not go to the University, and they found the University coming to them. In Sheffield there were 1,500 and in Nottingham 1,000 students of all positions in life, who received the same instruction in the same classes. A bookseller had told him that, in consequence of this movement, he had sold in one year more books on political economy and constitutional history than he had sold in many years previously; and it was one of the most hopeful signs of the times that these subjects were being studied by the trades unionists, who carried their text-books about with them, and had their proficiency tested by examination and recognized by certificates. A pleasing result was the development of voluntary effort in all forms, up to the munificence which prompted an anonymous donation of £10,000 to Nottingham, and a gift of £20,000 from Mr. Mark Firth to Sheffield for the erection of University buildings, which would be an ornament to each town. It was thus the towns were doing their part, and Parliament would be glad to do anything in could to encourage the work.

MR. GATHORNE HARDY said, there was really very little difference between the noble Lord and himself, and apparently it arose from some misunderstanding of the Amendment. They agreed as to the advantages of the educational work commenced by Cambridge outside the University; that the management of it ought to be within the University, and that somebody ought to be paid for managing it. The difficulty in the way of creating an office within the University might not be insuperable, and it was absolutely essential that work done out of the University should not be paid for by the University, which had no superfluous funds. He would suggest to the noble Lord that he should not press the last provision of his Amendment, and that he should accept two Amendments to make it clear that no payment should be made out of University or College funds, and that any officer appointed should be resident in the University.

LORD EDMOND FITZMAURICE said, he had great pleasure in accepting the proposal of the right hon Gentleman.

MR. BERESFORD HOPE was also quite satisfied with the proposal.

THE CHAIRMAN said, that the most convenient course would be for the noble Lord to withdraw his Amendment, and then for the Committee to agree to the clause as amended by the right hon. Gentleman.

SIR CHARLES W. DILKE, in opposing the Amendment, said, the noble Lord proposed to omit the sub-section, which was already open to objection, and to make it worse. The noble Lord's new sub-section represented the views of Professor Goldwin Smith and of Dr. Jowett in favour of paying Examiners in the great provincial towns. If the Universities were rolling in wealth, it might be wise to adopt his scheme, but the Universities were poor, and the great towns were rich, and if they wanted to be lectured and examined, they ought to pay for the luxury themselves. The proper function of an University was not to teach school all over the country, and to examine all its adult inhabitants, but to give, by residence and by consort with the best minds, the highest training to the picked youth of England.

MR. GATHORNE HARDY said, that the lecturers who went to the towns would be paid by them; but the University would be ready to pay the secretary, because he would remain in the University, and because the Bill set up an office that was a University office. No change would be made as to any part of the money of the University.

Amendment (*Lord Edmond Fitzmaurice*), by leave, *withdrawn*.

Amendment (*Mr. Gathorne Hardy*) *agreed to*.

SIR CHARLES W. DILKE, in moving to add, in page 6, the words—

"For altering the qualifications required for membership of congregation at Oxford, and for admission to the electoral roll of the University of Cambridge: and for limiting or abrogating the power of the convocation of the University of Oxford and of the senate of the University of Cambridge respectively to regulate matters relating to the studies of the University, and to the education given in it,"

said, there were two Bodies at Oxford and two Bodies at Cambridge, which were dealt with by this Amendment. A Body consisting of all who had taken their Master's degree, and numbering some thousands in each case, called Convocation at Oxford, and Senate at Cambridge, and a Body consisting of resident Masters called Congregation at Oxford and Electoral Roll at Cambridge. Roughly speaking, and without going into small details, it might be said that the larger Bodies, Convocation and Senate, had the following powers:—They elected the Members for the University, the Chancellors and the High Stewards, powers which the reformers would not touch; they interfered by veto with schemes for the reform of the studies of the Universities, a power which he believed they were not competent to exercise, and of which he would at least enable the Commissioners to deprive them if they thought fit. The smaller Bodies, Congregation at Oxford and Electoral Roll at Cambridge, elected the governing oligarchies, and consisted of some hundreds in each case. The majority of the members of these smaller Bodies were the persons most fit to exercise the powers at present entrusted to them; but in each there was a minority consisting of persons most unfit. Let him state the case of his own University, with which he was best acquainted. There were about 280 names upon the Electoral Roll of the University of Cambridge. About 200 of them were persons engaged in the government of the University or of Colleges, or in the educational work of the University. The remainder consisted chiefly of two classes, the parochial clergy and the sons of tradesmen and others resident in the town of Cambridge, who happened to have taken aMaster's degree without ever having held any University or College office. It was a mere accident that these persons had their names placed upon the Electoral Roll, and he wished to remove them from a position in which it was never intended that they should be placed. This question of the government of the University was one doubtless which would have to be settled by a compromise, but he wished to point out to the House that it was in fact a compromise which he suggested. The Liberals did not like to see the country clergy brought up in hundreds to Oxford to vote against a Broad Church clergyman, whose name had been proposed as one of the University preachers for the year; but, although that was the case, they did not suggest that Convocation should be deprived of such a power. On the other hand, they did emphatically protest against the 30 or 40 curates at Oxford, who were locally known, he believed, as "the black dragoons," being even potentially a controlling element in the direction of the studies of the University. It was not only of the curates that they complained; but why, he asked, should the ordinary residents of an ordinary provincial town, who happened to have taken their ordinary degrees, the doctors, the solicitors, and the chief constable, able and estimable persons though they might be, have a voice in the administration of affairs for which special qualifications and attention were needed? Now, when the Board of Studies at Oxford had agreed on some much needed reform, and had even succeeded in pushing it through Congregation in the teeth of the opposition of the local clergy, through the unanimity of the residents really engaged in educational work, Conservatives and Liberals alike, it had also to pass Convocation, for which the local clergy then whipped up their allies, and the country clergy then succeeded in throwing out the scheme at the trouble only of that which they were known greatly to enjoy—a jaunt to Oxford to beat the Radicals, a name applied by them to University Conservatives as much as to University Liberals. Such a day's pleasuring was an agreeable variety and relief from a dull country parish, while the men, perhaps a majority of Convocation, who would support the other side, were busily engaged at the Bar, in schools, or in public life, and could not come. An Amendment such as that which he proposed, which would give the Commissioners power to remove from the province of Convocation questions of University discipline and education, would probably do more than any

other single reform to elevate the work of the Universities. The Government proposal in 1854 was his proposal, but their Bill was mangled in Committee upon this point. It was foreseen at that time, and prophesied in the debates that then took place, that the absurdity would become evident of committing the decision as to the studies of the University to a body of several thousand gentlemen who knew their University not as it was, but as it had been, and who could not be supposed, as a body, to have given much consideration to the question of what it ought to be. The right hon. Gentleman, who was now Member for Greenwich, pointed out with great clearness in the debates of 1854, that the persons who come up to vote, upon whichever side, were the red-hot partizans, and not the quiet, judicious, impartial men able to judge dispassionately of the merits of the case. Railways, and other modern facilities for travelling, had now completely changed the government of the Universities for the worse. In old days Convocation had been only attended by the residents, and they proposed once more to make the University in this matter what it had been.

Amendment proposed,

In page 6, to add the words "(12.) For altering the qualifications required for membership of congregation at Oxford, and for admission to the electoral roll of the University of Cambridge; and for limiting or abrogating the power of the convocation of the University of Oxford and of the senate of the University of Cambridge respectively to regulate matters relating to the studies of the University, and to the education given in it."—(*Sir Charles W. Dilke.*)

MR. DODSON suggested that the words referring to the qualification for membership of the Congregation of Oxford and to admission to the Electoral Roll should be omitted, and that the first part of the Amendment should only be adopted.

MR. MOWBRAY pointed out what the present state of the law was in regard to the matter, and showed that in certain instances the proposed change might work disadvantageously.

SIR CHARLES W. DILKE was willing to withdraw the first part of his Amendment, on the understanding that he would move it again.

MR. BERESFORD HOPE contended that this was too difficult a matter to be decided by an Amendment on the present Bill. The objection taken to the Electoral Roll that there was too much variety in its composition was, in his eyes, an advantage. He might, for instance, criticize the circumstance that they had on the Electoral Roll a certain number of men who were put on it as examiners *ab extra*, men who had never before seen Cambridge in their lives. Still, these persons were few and eminent, and brought in a new element, while the addition of resident M.A.'s, lay or clerical—parents, it might be, of students—not engaged in tuition was a man of the world addition which wholesomely counterbalanced the possibly too exclusively class feelings of a body containing none but teachers. He should be sorry to see the Roll revolutionized, by their names being struck off, and he trusted that for such a small objection they would not be called upon to enter into a matter which would produce great disputes in the University.

MR. MARTEN said, the Amendment of the hon. Member for Chelsea went entirely beyond the scope of the Bill. It would be much to be deplored if Parliament were to give the Commissioners such a power as that which the Amendment involved, and which would enable them to alter the existing Act passed in 1856 for the regulation of the University of Cambridge, whereby the composition of the Electoral Roll was determined. A body of persons more fit to be entrusted with a share of the government of a great University like Cambridge than those who formed the existing Electoral Roll could scarcely be found. If this matter was to be dealt with practically, there could not be a more convenient arrangement than that by which the working of the University was vested in those who were its actual officers for the time being, and at the same time Masters of Art, who were representatives of the liberal professions, engaged in the every-day business of the town, and well able to judge what was for the benefit of the University at large.

MR. OSBORNE MORGAN could not conceive why a man should be thought fit to interfere in the government of the University of Cambridge because he resided within a certain number of yards of the Church of St. Mary's. Among the educating body of the University

there was but one opinion as to these extraneous elements—namely, that they were the greatest nuisance that could be conceived. He intimated that in the event of the present Amendment being rejected, he would move another one disenfranchising these members of the University directly rather than, as the present Amendment proposed, giving the power of disenfranchisement to the Commissioners.

MR. KNATCHBULL-HUGESSEN said, that if the question was to be raised at all it must be upon this clause, which determined the subjects with which the Commissioners might deal. As to curtailing the powers of Convocation to deal with matters affecting University education, he could hardly conceive a body less qualified to deal with such matters, consisting as it did of men scattered all over the country, having long lost, if they ever possessed, any knowledge of University affairs, and being occupied in various pursuits and professions elsewhere. As to the smaller Bodies, the Congregation at Oxford and the Electoral Roll at Cambridge, the proposition seemed to him incontrovertible that the people who managed the internal affairs of Oxford and Cambridge Universities should be engaged either in tuition or in the government of the Colleges. It was most undesirable to have the interference of another element consisting of people who had really no more concern in the management of the Colleges and Universities than any other members of Convocation. For his own part, he could not conceive why the Commissioners, who had already been entrusted with the exercise of most important functions, should not have the power to make alterations in the direction indicated by the Amendment, should public opinion in the University point to them as desirable.

MR. RODWELL opposed the Amendment. It involved a far greater question than was ever contemplated when the Bill was introduced, and struck at the very constitution of the University. If that question was to be raised at all, it ought to be raised in a more prominent shape, so that those who were to be disfranchised might hove due notice of the proposal.

MR. JAMES agreed that the question raised by the Amendment would more properly be dealt with in a separate Bill. In the Hebdomadal Council of Oxford there were not six members who did not belong to the clerical party. Why a person living a mile and a-half from Carfax should be entitled to fill these important posts was most difficult to understand. A reformed Congregation would be much the best body for the election of certain offices now discharged by Convocation. At present there was much complaint of the appointment of improper persons, and what was going on now in the matter of canvassing with respect to the vacant offices of Public Orator and the Professorship of Poetry gave this Amendment greater importance. He trusted, therefore, that it would be generally supported by the House.

MR. GOSCHEN believed that in 1854, when this subject was before the House, it was debated for several nights, and if the right hon. Gentleman wished that could be done again, as hon. Members on his side of the House had plenty to say and plenty of arguments to advance against this proposal. He could assure the right hon. Gentleman that hon. Members on that side of the House attached the greatest importance to this Amendment. It might be desirable to raise the question at issue upon subsequent clauses, allowing the present Amendment to be withdrawn for that purpose; but, if its withdrawal was objected to, he would support the Amendment. The addition of the resident clergy to Congregation had not worked satisfactorily. The fact of residence alone was not a sufficient qualification, to the exclusion of non-residents. It was not, however, a question between the clergy and the laity. He would prefer the opinion of the purely University body on purely Uuiversity questions. The functions performed by the two bodies had not yet been discussed, and should be raised at some stage of the Bill. The exercise of patronage was liable to abuse, and no more important function could be assigned to the Commissioners than to see that these abuses were not perpetuated.

MR. GATHORNE HARDY did not complain of fair debate, but what had been alleged against the clause went a great deal beyond what was the original purport of the Bill. The Government had no intention whatever of making this Bill a large disfranchising measure,

and the noble Lord who introduced the Bill last year in another House distinctly stated that fact. With regard to the Public Orator and Professorship of Poetry, he saw no reason why Convocation should not appoint them. The Professor of poetry should be a man known beyond the University to have a special knowledge of the subject and a critical acquaintance with it. The duties of Public Orator were not those of teaching, and therefore no real objection could be urged against the present system of election. With regard to the statutes passed by Convocation, non-resident Masters of Arts did not leave their parishes to come up and vote unless there was some important change under discussion; and unless the members on both sides were nearly equal, these gentlemen could not turn the balance. Indeed, there were no reasons why they should be all on one side. There were 364 members of Convocation at Oxford, and not 20 were resident M.A.'s not connected with the teaching of the University. It could therefore be only on very particular occasions that their vote could influence the result. They had but a small modicum of power, and there was no reason why they should vote any one particular way. It was only natural that members of either University residing at Oxford or Cambridge should take a greater interest in its management than those resident at a distance were able to do. When statutes were passed the non-resident Masters of Arts could put the necessary check on them; for although passed by one body they required to be confirmed by the other. But it was seldom that non-resident members had to interfere. Considering, then, the real scope of the Bill, he could not consent to any Amendment like this, which would interfere with the very roots of the constitution of the Universities.

MR. GOSCHEN said, they were all agreed that after the passing of this Bill the Universities should be left in peace for some time, and not be harassed with the immediate expectation of further legislation. Surely, then, it would be wise that the present Bill should deal with all the matters likely to arise soon or in the near future. If this question were not now fully considered, it ought to be at some future stage of the progress of the Bill.

MR. TREVELYAN: Sir, the Amendment which the hon. Baronet has proposed is one which, if passed into law, cannot fail to have a permanent and, in the opinion of some who are very well qualified to judge, a most salutary influence upon the future of the Universities. It has absolutely nothing political, religious, or controversial about it. Its effect will be educational and educational alone. The arguments in its favour appeal exactly as much to hon. Gentlemen opposite as to hon Gentlemen on this side of the House. In fact, it will be almost unnecessary to use those arguments; because, if once fairly stated, the case is so plain that it may fairly be left to argue itself. I feel satisfied that hon. Gentlemen are of opinion that this Bill, which professes to be a Bill for making our Universities as useful as possible, should secure that the task of directing the studies of the Universities should be lodged in the hands that are best capable of discharging it. If we omit to ensure this we may just as well drop the Bill at once. Now, the process through which any scheme for altering the system of education in the University of Cambridge has to pass is as follows:—Let us suppose that there is a general feeling that enough attention is not paid to the historical side of Greek and Latin literature. In order to correct this tendency, the Board which has the supervision of classical studies comes to the conclusion that greater weight should be given to history in the final degree of examination. The first step that the Classical Board takes is to lay their proposal before the Council in a Report. The Council, in its turn, appoints an extraordinary Syndicate, which reports on the matter to the Senate, and the Senate meets in the Art Schools to discuss the Report of the Council. Up to this point there is nothing to criticize; but from this point forward the process of University legislation becomes unequalled in absurdity among all the methods of transacting public business which men have ever adopted since society became organized. The Senate, as hon. Members very well know, consists of more than 5,000 persons, of all ages and callings, scattered over the whole civilized and uncivilised world from Calcutta to the Lands End. The consequence is that the body which assembles in the Art Schools to discuss

the question is not, and cannot be, the Senate, but those members of the Senate who are resident at Cambridge, and who are engaged in carrying on the work of the University. These gentlemen, than whom a more competent body for the purpose could not easily be found, take the matter into consideration. Speeches are made for and against. The personal influence of the great authorities on classical questions—such men as Dr. Thompson, Mr. Munro, Dr. Lightfoot, Canon Westcott—are brought to bear. Opinions are altered and modified; and then I presume hon. Gentleman suppose that the assembly, having had the case fully laid before them, proceed in due course to a decision. But that is not the way in which matters are carried on under the existing constitution of the University. Instead of having a division upon the spot, while those present are fresh from the argument, a future day is fixed, on which a poll is taken; a poll not confined to those who have listened to the debate in the Arts Schools—not even limited to those who are practically engaged in the educational work of the place—but a poll at which every one of the 5,000 members of the Senate who will take the trouble to come up to Cambridge will have a right to vote. Then at once there begin all those proceedings with which it is the misfortune of all of us here present to be practically acquainted. One poll is very much like another, whether it is about the election of a Member of Parliament or the choice between one system of study and another. There is a canvass and a whip. Post-cards and circulars go out by the thousand. Offers of hospitality are lavishly made; for there is no law against treating in questions of higher education. Men come up to vote this way or that, not because they know anything about the merits of the case, but because they have received a pressing summons from someone who, 30 years before, rowed next but one to them in their College boat. When the day comes the resident members look anxiously round them to see whether there are many strange faces; for they are only too well aware that, if such is the case, the deliberate opinion of those who, responsible for the education of the University on abstruse and delicate questions which it requires a life-time to study, may be swamped by a multitude of persons who are no more fit to decide such questions than a country gentleman of 50 would be fit to draw up a new system of infantry tactics because between the age of 20 and 22 he had been a cornet of dragoons. Hon. Gentlemen may think that I exaggerate; but, in describing the results of a system as anomalous as this, no one can exaggerate, unless he has an imagination much more lively than mine. Some years ago—certainly not a year too soon—it was proposed to introduce a reform of a most vital nature into the final classical examination. The great majority of those concerned in conducting the classical studies of the place were in favour of the change. But, unfortunately, the poll was taken on a day when, besides the excitement of the contest, there was the additional attraction of a flower-show. Non-resident Masters of Arts trooped into the town from a circuit of 50 miles round. Their wives and daughters went to the flower-show, while they themselves crowded into the Senate House, in order to overset, by an off-hand vote, a scheme which had been drawn up with infinite care and after long consideration by a committee composed of some of the greatest scholars of Europe. Sir, it is bad enough for those who have been debating a question in this House, with full knowledge of the subject, when the bell rings, and a crowd of Gentlemen hurry to the Bar, ready to dispose, between two mouthfuls of soup, of a matter the nature of which they have perhaps heard for the first time from our worthy Doorkeeper; but what is that to the crying abuse of a system under which abstruse educational problems, on which it may depend whether the intellectual efforts of the coming generation are to be directed into the right or the wrong channel, are decided by the haphazard vote of people who actually were 100 miles away from the place when the question was discussed, and who, when the matter is once settled, will return home to their own avocations, and very likely by the end of the month will have forgotten that such a question has ever existed. That was the method in which the all-important question of whether Greek should be made a compulsory subject was settled, and, as the people who know best appear to think, wrongly settled a few years ago. It is to enable the Commissioners to apply a

remedy to this state of things that the hon. Baronet has placed his Amendment on the Paper. If the Committee thinks fit to agree to this Amendment; if the Commissioners—leaving to the Senate and to Convocation their ancient and splendid functions, the right of electing the University representatives and many of the University officials, the right of petitioning this House, and of laying addresses at the foot of the Throne—confine the duty of superintending educational arrangements to a smaller and more responsible body, then a reform will have been effected which is eagerly desired by many of those who are most actively engaged in the practical work of our Universities. The judgment of hon. Members must, I am satisfied, be in favour of this Amendment; and, on a matter which does not touch Party, the judgment of hon. Members is never appealed to in vain.

MR. STAVELEY HILL observed that there were other assemblies besides the Senate of the University in which it was not necessary that a member should hear all the discussion to enable him to vote. At Cambridge and Oxford the great desire was to bring the question to an end as soon as possible, so that they might know what changes were to be made. He was a member of Congregation and Convocation, and no great change was desired in either of those bodies. He had never heard any dissatisfaction with the present state of things. They could not attempt to make any alteration in this respect in the present Bill, as the subject was not within its scope.

SIR THOMAS ACLAND could not agree with the last speaker that there was no dissatisfaction with the Governing Bodies of the University. It was very doubtful whether the constitution of Congregation did not place too large a power in the hands of the tutorial interest, many of them being very young, acute, and subtle men, with a very moderate acquaintance with the general affairs of the world. Hastily to decide now that the Convocation should be confined to the present teaching members of the University might possibly be a leap in the dark, which might hereafter be regretted. He did not think the University would rest till the Governing Bodies were improved, but seeing no prospect of the question being thoroughly settled by separate legislation, his only course was to support the Amendment.

MR. C. DALRYMPLE said, it was only on particular occasions, as at the election of the Public Orator and the like, that non-resident Masters of Arts voted, and it was an exaggeration to say that the outside voters really overbore the opinion of the University. It appeared always to be assumed that the opinion of non-resident was adverse to that which was wise and enlightened, as well as to any change in the University system. He (Mr. Dalrymple) could remember at least one occasion, when non-residents flocked to Cambridge to support a proposal for a readership in American history, which had been strongly opposed by resident-members of the University—a proposal which, at all events, had the merit of novelty, and might have been of great use to the University. His objection to the Amendment was that the opinion of the outside world was very often of great value, and he believed that, as a rule, questions of education were left to the resident Masters of Arts.

SIR CHARLES W. DILKE said, as to the objection that this Amendment was not within the scope of the Bill, he begged to remind the hon. Members who made it that the Committee had not passed the Preamble, and that the object of postponing the Preamble was that in case of modifying the scope of the Bill the Preamble might be modified accordingly. The Amendment had nothing whatever to do with the election of Members of that House. He would have been willing to withdraw his Amendment and then to propose it in the form suggested some time ago had he not been prevented from doing so.

Question put, "That those words be there added."

The Committee *divided*:—Ayes 115; Noes 143: Majority 28.—(Div. List, No. 113.)

MR. COURTNEY, in moving his Amendment, stated that as far back as the year 1869 there had been a College for women modelled after the organization of the Colleges, and its promoters desired that the students should be subjected to examinations like those at Oxford or Cambridge. The authorities at Cambridge were not prepared at the time to accede to this request, but they

had intimated that the Examiners, in their private capacity, might look through the papers, and this had been done from the year 1870 to the present time. In that year the Examiners of the previous examination had consented to furnish these female students with Examination papers and report on their answers, judging them by the University standard. That had been done, and the examiners had certified with respect to them, and the custom had prevailed for the last seven years, not only in the case of the previous examination, but in the case of the pass and the higher examinations for honours. He could not better explain the process than by reading a letter which had been written by one of the examiners of the Classical Tripos in 1873, in which he stated that his colleagues and himself would be happy to examine papers sent up to them, but that it must be distinctly understood that they did so in their private capacity. The whole scope of his Amendment was to give an official recognition to what had thus been done in an unofficial manner. Nothing was wanted but the recognition of the University. He would point out the extent to which this examination of women had been carried. In the year 1870 five students passed the previous examinations, two of them in honours. In 1871 two others passed in honours. In 1872 five passed, and four took honours. In 1873 two passed, and two took honours. In 1874 five passed, and two took honours. In 1875 six passed, and five took honours. In 1876 18 passed, and 12 took honours. Of late years ladies had been tested by the degree examination standards. In 1873 a lady took a position equivalent to a second-class in the Mathematical Tripos; and another, a second in the Classical Tripos. In 1874 two passed in Natural Science. In 1875 two reached the Classical Tripos standard. All these came from Girton College. There was also at Cambridge, Newnham Hall, and an arrangement by which ladies who were members neither of Girton nor of Newnham were admitted to the lectures of the University Professors, and students from Newnham had been examined like the students from Girton. It was not impossible that the ladies attending the Professorial lectures might be admitted to examination in a similar way. All that he wished to suggest was that what was now done by favour should be done publicly and in a recognized manner. The matter was one of considerable importance, and it could not be argued that the practice which the Amendment proposed to legitimate was novel or dangerous. If a gentleman wished to send his boy to a school he could ascertain the character of the schoolmaster; but in the case of girls parents had no kind of authority to which to refer. But the voluntary organization to which he had referred had introduced such an authority, which had been found most useful. Public schools for girls, analogous to high schools for boys, had been established at Notting Hill, Chelsea, Clapham, Norwich, Manchester, and other parts of the country. He did not know, considering the strictly permissive character of this proposal, what objections would be raised to it. He must add a word or two on the second part of his Amendment. Last year an Act was passed enabling any authority which could grant degrees to men under the Medical Act to confer them on women also. It might, perhaps, be argued that under the provisions of that Statute the Universities of Oxford and Cambridge could grant medical degrees to women. But his present proposal did not relate to the granting of degrees of any kind. At present the Universities of Oxford and Cambridge granted licences to practise medicine, but only as a corollary to a medical degree. He now proposed to enable the Universities to grant such licences to practise to persons who had not graduated, provided they fulfilled the necessary conditions of knowledge. The sub-section was purely permissive, and if it were passed the probability was that Cambridge would take the matter up, and that Oxford would not. The greater liberality of Cambridge in this respect was, perhaps, due to gratitude for what that University owed to women. It was a remarkable circumstance that at Cambridge six Colleges were founded by the benevolence of ladies. Considering, therefore, how much we were thus indebted to women, we ought to do what we could now to promote the education of women.

Amendment proposed,

In page 6, after sub-section 11, to insert the words "(12.) For enabling the University to examine female students concurrently with

male students, subject to such conditions regulating the residence and discipline of such female students as the University may from time to time approve or ordain; and for enabling the University to grant licences to practise medicine to female students who have passed the examinations and fulfilled the conditions which are necessary for obtaining degrees in medicine in the case of male students in that faculty."—(*Mr. Courtney.*)

MR. FORSYTH said, that, although no one could accuse him of being indifferent to the claims of women, he confessed he felt some difficulty with regard to this sub-section, which was rather ambiguously worded. Its first object was to enable the University "to examine female students concurrently with male students." That meant, he supposed, that they were to be in the same lecture-rooms, to sit side by side on the same benches, and that the Examiners were to walk up and down while the young gentlemen and young ladies were answering the questions. He was afraid the attentions of the young gentlemen would be paid to the young ladies, and not to the examination papers. His real objection to the clause had reference to the first part of it. If ladies were examined in classics and mathematics by University officials, and no degrees were conferred, no better results would follow than were now attainable at Girton College. If the hon. Member for Liskeard had had the courage to carry his Amendment to its logical conclusion, and had proposed that the ladies who acquitted themselves well in the examinations should be named in the Tripos list, and should afterwards have degrees conferred upon them, he would have voted for the proposal. He thought no reasonable argument could be shown why women should not be able to attain degrees, if they passed the proper examinations. As to the second part of the sub-section, he thought it right that licences should be given to female students of medicine who proved themselves fit to practise.

MR. HOPWOOD supported what he regarded as the just demand embodied in the Amendment. He fully recognized the great services which the hon. and learned Member who had just spoken had rendered to the cause of women in this country. He regretted that his hon. and learned Friend had not the courage of his convictions, and had not suggested such an alteration in the proposal of the hon. Member for Liskeard as would carry those convictions to their legitimate conclusion. In reference to the argument that nothing would be gained, he thought a great deal would be gained by the adoption of the proposal; he thought that the mere fact of official recognition of what was now done unofficially would be an immense gain. This Amendment was moderate and effective. It was a very just demand upon the part of those who were making great exertions to elevate those women who showed that they had talent and ability, and, therefore, he should vote for it.

MR. GORST concurred in hoping that the Government would see its way to concede something at least in the direction of the hon. Member's Amendment. He reminded the House that last Session an Act was passed empowering the Universities of Oxford and Cambridge to grant medical degrees. The Amendment only asked that the Commissioners should recognize existing facts. Women were examined at the present time, and it was only sought to give the examinations official sanction. He must, however, express his concurrence in the opinion that the first part of the Amendment did not go far enough.

MR. RATHBONE said, the great value of what was at present done was shown in the very superior class of school-mistresses which the system had been the means of providing in some of the schools for girls throughout the country. Female education was one of the most important works of the present day, and nothing would tend to give it such an impetus as to provide a better class of mistresses for girls' schools. The adoption of this proposal would be invaluable to those engaged in the work, and would materially strengthen their hands.

MR. BERESFORD HOPE said, he thought it was a proposal which would introduce a very great change, which ought, if made at all, to be made in a more open and direct form. Many ladies had distinguished themselves at the voluntary examinations; but this Amendment would legalize the position of these ladies as being formally entitled to the honour examinations of the Universities. It could not end there. If once ladies were admitted as a constituent part of the studying or Undergraduate body, not only would they claim to compete

with men in the degree examination, and use the degree to which that was the portal, but they would establish an equitable claim for the substantial awards to which examinations lead and demand to be candidates for Scholarships and Fellowships. If Fellows, how could they be excluded from becoming tutors, deans, and masters of Colleges? A charming and an accomplished lady dean would be sure to draw a large number of gentlemen Undergraduates to the College which she ruled; but what would Paterfamilias say? These were not extreme considerations; for the fact was the Amendment proposed to make a great change, as to which no one could see the end.

LORD FREDERICK CAVENDISH said, the hon. Member argued against the Amendment as being the thin end of the wedge, and, as usual, he was against all change. He would support the Amendment because it sought to recognize and to regulate the examinations now conducted by the University Examiners at Cambridge of the students of Girton and Newnham Colleges. Great efforts were now being made to improve the education of girls, especially in connection with some of the endowed schools and in public day schools; but the great difficulty was to obtain really efficient teachers. The Colleges to which he had referred were doing much to supply that want, and by means of the voluntary and gratuitous assistance of the University Examiners an independent test was applied to the attainments of their students; and it was because it was now proposed to enable the Universities to take in hand this work now done in a manner unrecognized by them that he should cordially support the Amendment.

MR. MUNDELLA pointed out that the examination of the two sexes together would not be a novelty in connection with the Universities, the present local examinations being conducted in that manner. Women had no professional career open to them. If such career could be opened to those who distinguished themselves at the University, some hope might be entertained for the better education of girls.

MR. GATHORNE HARDY understood the object of the proposal to be to bring women in as Undergraduates of the Universities. Practically, it was proposed to put them under the authority of Proctors. He was not opposed by any means to female students having the opportunity of passing examinations and obtaining degrees which might enable them to fill situations and practise medicine; but what he did object to was that they should be subjected to the same conditions and pass through the same examinations concurrently with the male students, for whom originally all those conditions were devised. The hon. Member for Liskeard had spoken of the Colleges which in times past were founded at Cambridge by women, but he must remember for the education of men; and it had been overlooked that in those times the education of the women was carried on in convents, and, of course, separately. He was not aware that Girton College admitted young men. In that very case the advantages of separation seemed to be recognized. The scholars there were under the superintendence of women; they had lecturers of their own; and, he was told, that when they attended lectures away from their College, they still had lecturers for themselves. The whole system, therefore, was one, not of mixed and concurrent education for both sexes, but distinctly of separate education. He believed the success of the teaching was greatly owing to the privacy of the arrangements. Believing, as he did, that this separation was most desirable, he must oppose the Motion of the hon. Member. If the object was to overturn the whole system of male and female education in the country, this was a matter which ought to be settled by Parliament, and ought not to be delegated to Commissioners. With respect to the latter part of the Amendment, relating to the granting of licences to female medical students, it had already been pointed out that it was not needed. If the Universities wished to give medical degrees, they might do so; but he did not think it likely they would exercise that power. While recognizing the importance of giving educational facilities to women, he thought the proposal of the hon. Member for Liskeard to bring female students under the regular discipline of the Universities was not likely to meet the wishes of those whom it was intended to benefit, and that the attempt to carry on the education of both sexes together would only destroy the system of separate education for

young ladies, which was at present flourishing.

MR. COURTNEY explained that he did not wish, as the right hon. Gentleman supposed, to bring the girls of Girton College under the same regulations with respect to discipline as the Undergraduates at the Universities. He observed, moreover, that it was not proposed to delegate any absolute final authority to the Commissioners, but only to invite them to frame some working plan which would in due course be submitted to the University Commission and to Parliament.

MR. NEWDEGATE said, he at last understood the purport of the Amendment. The Universities had been spoken of by the advanced Liberals as "monastic institutions." He was not prepared to vote for their being "conventual institutions" as well.

Question put, "That those words be there added."

The Committee *divided*:—Ayes 119; Noes 239: Majority 120.—(Div. List, No. 114.)

LORD FRANCIS HERVEY moved, in page 6, line 23, after "the same," to insert—

"(13) For the administration of the University Press and of the funds belonging thereto, and for the publication, not less than once in each year, of the accounts thereof; (14) For the management of the financial affairs of the University."

He remarked that the Press at Oxford some 15 or 20 years ago brought in a net revenue of £13,000, a sum which was now considerably less; but he could not think it right that no accurate information should be given as to what became of a sum of money amounting to a quarter of the whole annual revenue of the University. Account should be rendered of so important a source of income. It was to be remembered that the Delegates of the Press enjoyed the monopoly of printing Bibles, and it might be urged that Convocation had a right to know how its servants administered their money. He could not admit the plea so often put forward, that the University Press was a trading concern. If that was the case, it would be the first occasion on which he had ever heard that a great centre of learning was a trading concern. And in that case the Press authorities should do what other trading concerns did, and lay their accounts before Parliament, instead of shrinking from publicity. He would not charge any individual with mismanagement; he merely wanted to learn the prospective income of the University.

MR. MOWBRAY said, his noble Friend had not been quite clear as to the authority to whom these accounts should be rendered; one thing, however, was quite clear, that the names of the Board of Delegates furnished an ample guarantee against maladministration. It was to be recollected, moreover, that the Clarendon Press was divided into two parts, one of which certainly was a trading concern, and the managers had their capital embarked in it; therefore the public had no right to inquire into it.

Amendment *negatived*.

Clause, as amended, *ordered* to stand part of the Bill.

Committee report Progress; to sit again upon *Thursday* next.

House *resumed*.

CATTLE PLAGUE AND IMPORTATION OF LIVE STOCK.

NOMINATION OF THE SELECT COMMITTEE. FURTHER PROCEEDING RESUMED.

VISCOUNT SANDON said, he was about to propose that the hon. Member for Queen's County (Mr. Dease), and the hon. Member for South Norfolk (Mr. Clare Read) be Members of the Committee. The hon. and learned Member for Limerick (Mr. Butt) had already placed the name of Mr. Dease on the Paper, and he (Viscount Sandon) was informed that it would be acceptable to hon. Gentlemen on the opposite side. On further communication with the hon. Member for South Norfolk, he found that the hon. Member was still very much disinclined to serve on the Committee. All must regret if the hon. Member for South Norfolk persisted in his refusal. If the hon. Member for South Norfolk should be still unable to give the benefit of his services, he would then propose the hon. Member for Linlithgowshire (Mr. M'Lagan), who, he believed, would be acceptable to the

House. He begged, in the first place, to propose that the hon. Member for Queen's County (Mr. Dease) be a Member of the Committee.

MR. BUTT seconded the Motion.

Motion made, and Question proposed, "That Mr. Dease be one other Member of the Select Committee."—(*Viscount Sandon.*)

MR. J. W. BARCLAY would like to hear something more about the representation of Scotland on the Committee. It was right that the various parts of the United Kingdom should be all fairly represented. He should be unwilling to put up anybody in opposition to the hon. Member for South Norfolk, but he approved the nomination of the hon. Member for Linlithgowshire (Mr. M'Lagan).

MR. CALLAN said, that he had proposed the hon. Member for Meath (Mr. Parnell), but since then the hon. and learned Gentleman whom he considered his Leader had proposed Mr. Dease; he would not therefore persevere. At the same time, he must state that the hon. Member for Meath had intimated, on seeing the name of Mr. Dease proposed, that he should decline to serve on the Committee.

MR. E. NOEL said, that he thought that the Scotch Members should be represented. He would not, however, press his Amendment.

MR. MARK STEWART said, that Scotland would be fairly represented.

MR. CLARE READ said, if he wanted an additional excuse for not serving on the Committee, this short debate had furnished him with one. He was extremely indebted to the noble Lord for his courtesy in placing his name on the Paper, and he felt also the compliment which had been paid to him by Members on both sides of the House who had desired that he should be one of the Committee. He had, however, objected to serve from the first. He had told everybody so, and he still adhered to his determination. In the first place, he believed that this Committee was not wanted. In his judgment, a good debate in that House would be much more serviceable than a Committee. What was wanted was not inquiry, but action —short, sharp, and decisive. He also objected to the scope of the Committee. If it were simply to inquire into any circumstances which might have occurred since the last Cattle Plague Committee, such as the imports of American meat, he should have been willing to serve upon it; but, having had the honour of serving on the Cattle Plague Commission, and on most of the Committees appointed to consider the subject since 1865, he had no wish to go over the whole of that evidence again, as he was quite sure would be the fate of these 27 hon. Gentlemen who would have that great pleasure during the next three months in the very warm rooms upstairs. If his opinion were of any use to the Committee, they had nothing to do but to summon him to give evidence. He was happy that his declining to serve would enable the name of his hon. Friend the Member for Linlithgowshire to be added to the Committee, on which he trusted England, Ireland, and Scotland would now be fairly represented.

THE CHANCELLOR OF THE EXCHEQUER declined to enter into any discussion with his hon. Friend as to the scope of the Committee; but he thought he expressed the general feeling of both sides of the House when he said that they all deeply regretted his hon. Friend's refusal to serve on the Committee. In so refusing they were sure he was guided by no other than the motives which always actuated him—public spirit and a desire to do what he believed to be right.

MR. PARNELL regretted that the same spirit which animated the Government to-night had not been displayed the other night, when the nomination of the Committee occupied six hours of the time of the House. He begged to say that he had no intention of serving on the Committee. He had no wish to serve on any Committee of that House, much less on a Committee the appointment of which was marked by such a scene as that witnessed the other night. If he had been appointed he might have had his opportunities of doing good in that House late at night diminished.

Question put, and *agreed to.*

VISCOUNT SANDON next proposed the name of the hon. Member for Linlithgowshire (Mr. M'Lagan), and though he regretted the refusal of the hon. Member for South Norfolk to serve, he congratulated the House on having

reached the last name upon the Committee.

MR. MORGAN LLOYD complained that in studying national interests nothing had been said of those of the Principality of Wales, which produced a large number of cattle. Flintshire and Denbighshire had suffered from the cattle plague, and it was quite necessary that Wales should be represented on the Committee.

Motion *agreed to.*

Power to send for persons, papers' and records; Five to be the quorum.

CUSTOMS, INLAND REVENUE, AND SAVINGS BANKS BILL—[BILL 143.]

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith.*)

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. COURTNEY wished to make some observations on the proposals made by the Chancellor of the Exchequer in his Budget speech with regard to Savings Banks. There was a deficiency of £3,250,000 upon the Savings Banks account, and the object which the right hon. Gentleman said he had in view was to stop that leak. His proposals, however, when examined, would not really stop the present leak, but would have the effect of starting a new one. The Commissioners for the Reduction of the National Debt received large sums from the trustees of the old Savings Banks established about 60 years ago, and those sums were invested in the public funds. The Commissioners allowed the trustees 3¼ per cent interest, and upon those transactions the deficiency he had referred to had arisen. The Commissioners also received the monies deposited in the Post Office Savings Banks, allowing 2½ per cent interest upon them; those deposits they likewise invested in the public funds; and upon them they had obtained a certain surplus. On account of the Friendly Societies' Funds there was also a serious deficiency. The Chancellor of the Exchequer proposed to place to the credit of revenue the amount of the surplus obtained from the Post Office Savings Banks. Now, suppose, by way of illustration, that £94 was received from a depositor and invested in the purchase of £100 of Consols, the Commissioners would receive 3 per cent interest for the investment, and they would pay the depositor 47*s.*, leaving an apparent annual profit of 13*s.*, which they would be bound to pay into the Exchequer. But if the depositor wished to draw out his money when Consols fell below 94, say to 89 or 90, and the Commissioners had then to sell out, they would be landed in a deficiency. How did the deficiency of £3,250,000 arise? Not because the National Debt Commissioners paid more interest than they received, but because they bought stock in times of prosperity and sold it in times of depression. The gross amount of interest or dividend received by the National Debt Commissioners in respect of ordinary Savings Banks since the year 1817 was £62,112,000, while the total amount of interest paid and credited to Savings Banks by them during the same period amounted only to £54,339,000. So far as interest was concerned, therefore, they had been gainers by nearly £8,000,000. Their losses really occurred in the depreciation of Stock; and, as the Chancellor of the Exchequer made no provision for that, he would inevitably land himself in a deficiency. He contended that one-fifth of the interest received ought to be allowed as a depreciation fund. The plan he would recommend was this. There was a deficiency of £3,250,000. That was part of the National Debt; therefore, they might as well, first as well as last, hand over to the Commissioners another book-debt, to add to the National Debt, in order to make things square. That would involve no change in the finance accounts of the year; and having thus balanced the accounts, the only rational way of proceeding was to reduce the interest in order to keep the account solvent. He thought 2¾ instead of 3¼ per cent, as at the present, would be the proper rate to pay. That was the honest course, and he did not think that would be at all an unpopular proceeding.

THE CHANCELLOR OF THE EXCHEQUER observed that this subject had only a year or two ago excited considerable discussion, and therefore it was not necessary for him to go into it at any great length. He quite agreed with the hon. Gentleman that the proposal in the

Bill did not completely deal with the whole question of the Savings Banks accounts. They had not attempted to touch the question of the accumulated deficiency. That was rather a complicated question, with which it would be necessary one of these days to deal. They had also avoided raising the question of an alteration in the rate of interest allowed. If they were to go into the question of the rate allowed for Savings Banks' deposits, they ought to look into the whole arrangements, and consider whether any alteration should be made in the limits of deposits allowed, which was an interesting but hardly a pressing subject. There was, however, this matter of the deficiency, which year by year was continually increasing, and which it was undesirable to allow to increase. But, then, there was one kind of increase which was real, and another which was a matter of account. Suppose the Funds one day this year were 94, you made the assets of the Commissioners so much. Next year the Funds might be 96, and then the assets would be a great deal more. That was a sort of variation which was a matter of account. It should be always borne in mind that the whole national income was security for the deposits, and there was no danger to the depositors. But then there was this continually going on, there was a larger amount credited to Savings Bank depositors year by year than was earned on the amount deposited to their account. For instance, as he had shown in his Budget Statement, the income which accrued to the Savings Banks for the year ending November, 1876, amounted to £1,307,000, whereas the interest credited to the trustees was £1,380,000, showing a deficiency of £73,000. In the same way, on the Friendly Societies' account there was a deficiency of, he thought, £49,000. The rate of interest was fixed by Act of Parliament, and it was really desirable that Parliament should know that it was giving year by year, in the shape of interest, more than it was earning, and then the country would see what the cost of this system was. The deficiency was, no doubt, at present a part of the National Debt. With regard to the Amendment of the noble Lord (Lord Frederick Cavendish), to the effect that the Government should make some allowance for the depreciation in the value of the securities, he was prepared to accept it.

MR. DODSON thought that a good deal might be said in favour of the proposition of the right hon. Gentleman the Chancellor of the Exchequer with regard to the Savings Banks funds. It would, to use the words of the right hon. Gentleman, "stop the leak," and prevent the deficiency from growing larger. The proposition of the Chancellor of the Exchequer would, at any rate, bring under the eyes of the public the annual loss, and pave the way for the proposal to reduce the rate of interest to the sum which was properly earned. He was glad that the right hon. Gentleman intended to accept the Amendment about to be proposed by the noble Lord the Member for the West Riding.

MR. MUNDELLA suggested that the morning after the Budget Statement Members should be supplied with a printed balance-sheet, showing the estimates of receipt and expenditure of the current year, in order that they might be able to discuss the Budget proposals with advantage.

MR. W. H. SMITH said, that the suggestion had already been considered, and arrangements would be made for the future to supply the House with the information suggested by the hon. Gentleman.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 6, inclusive, *agreed to.*

Clause 7 (Provisions of Income Tax Acts to apply to duties hereby granted).

MR. HIBBERT moved, as an Amendment, in page 2, line 35, at end to add the words—

"Provided, That in estimating the balance of the profits and gains of any trade, manufacture, adventure, or concern in the nature of trade chargeable under Schedule (D) of the said Act, or for the purpose of assessing the duty thereon, in addition to the deduction allowed from such profits or gains for the supply of repairs or alterations of any implements, utensils, or articles employed for the purpose of such trade, manufacture, adventure, or concern, a reasonable sum shall be allowed to be deducted from such profits or gains to set against the depreciation arising from the wear and tear of such implements, utensils, or articles."

He appealed to the right hon. Gentleman the Chancellor of the Exchequer to consider the injustice done to manufacturers under the existing law, by not

allowing them to take into account the depreciation of machinery when they made their returns of profits.

MR. ORR EWING said, he cordially supported the Amendment. When the income tax was introduced by Sir Robert Peel, he was sure it was his intention that the manufacturer or mine-owner, or any person who carried on large works, should only pay upon the balance which he could divide amongst his partners; and he was also sure that if the return was made honestly the Government would not lose by agreeing to the Amendment. An honest man must keep books, and therefore must know the amount deducted for depreciation. What was done in Scotland? He did not know what was done in England, but in Scotland, if any person was doubted as having made an honest return, he was obliged to exhibit his books to the Inland Revenue authorities, who would make him add to his income tax the amount of depreciation which he honestly believed he ought to deduct before he divided his profits among his partners. He could not believe that so unjust a principle was intended ever to have been adopted. Under a Treasury Minute, issued many years ago, those who had property in ships were allowed to deduct depreciation of 10 or 15 per cent; but any person being a printer, spinner, weaver, or any other trade, was obliged to add it to the balance which he had to divide. He could not conceive a greater injustice to trade, and he did hope the Government would see their way to remedy the injustice. At the same time, he did not think these words would exactly carry out the views which he held upon the subject, but he could not see how the Government could contest the principle, and more especially when this right was granted to shipping, how they could refuse to grant it to other kinds of manufactures. There never was a time when there was a greater need for the Government to remedy this injustice to the manufacturers of Great Britain.

MR. HERMON also supported the Amendment.

MR. ANDERSON said, there was no Member of the House who had ever been connected with the manufacturing interest but had felt the injustice of the mode in which the income tax was levied. He had himself known many cases of great hardship, and it was only surprising the country had submitted to it so long. He could only account for it on the supposition that the income tax had always been deemed a sort of temporary measure that we were to get rid of some day, and in that hope people had submitted to it. The case of the mine owner was even worse than that of the manufactuerer, because everything a man took out of a mine he was absolutely taking out of capital, and, therefore, to make him pay on it as profits was most unfair, for it was making him pay, not on profit, but on capital. He hoped the Amendment would be adopted.

MR. WHITWELL urged that the change proposed in the Amendment should be made as an act of justice, and not on account of the depression of trade.

THE CHANCELLOR OF THE EXCHEQUER said, that an allowance was at present made which substantially came to the same thing as was now asked—namely, the deduction allowed for repairs and other fixed charges over a period of three years; but when the hon. Member asked them to go further, and allow for depreciation, he thought the proposal was an unreasonable one; for it would, in fact, be allowing the deduction twice over. There was no standard by which depreciation could be tested; but the Government were most anxious to deal with each case that was brought before the Exchequer, and deal fairly with it. As an instance of the difficulty to be dealt with, it had been shown that in one case £20,000 had been charged for depreciation on a plant that originally cost only £10,000. At the same time, the Inland Revenue Department were quite willing to deal liberally, and even generously, with those who came under the Schedule in the matter referred to.

MR. HIBBERT, in reply, could not consider that his Amendment had so wide a scope.

Question put, "That those words be there added."

The Committee *divided*:—Ayes 56; Noes 91: Majority 35.—(Div. List, No. 115.)

Committee report Progress; to sit again upon *Monday* next.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Friday, 4th May 1877.

MINUTES.]—PUBLIC BILL—*First Reading*—Law of Evidence Amendment * (63).

RUSSIA AND TURKEY—THE WAR—NEUTRALITY OF THE SUEZ CANAL.

QUESTION. OBSERVATIONS.

EARL DE LA WARR: My Lords, in putting the Question to Her Majesty's Government of which I have given Notice, I wish to ask for such information as it may be convenient for the Government to give with regard to the neutrality of the Suez Canal, with special reference to its free navigation for vessels of commerce. At the time of the opening of the Canal it was declared by the 14th Article of the Concession that it should be neutral and open to ships of commerce of all countries. The Article runs—

"Nous déclarons le grand Canal et les ports en dépendant ouverts à toujours comme passages neutres à tout navire de commerce traversant d'une mer à l'autre sans aucune distinction, exclusion, ni préférence de personnes ou de nationalités."

The intention here expressed is evident—it is that the ports connected with the Canal, as well as the Canal itself, should be neutral and open alike to vessels of commerce of all countries. But it is obvious that this declaration alone is not a sufficient security, and that circumstances might arise which would cause complications, and possibly result, if not permanently, yet for a time, in obstructing the free navigation of commerce through the Canal. I might, perhaps, illustrate what I mean by referring to existing circumstances. Port Said, the entrance to the Suez Canal, is a port belonging to a country which at the present moment is at war with another maritime Power. For the purposes of war it might be necessary on the one side to close the port, or on the other to blockade it; and in either case the navigation of the Canal would be stopped. What now exists on the Danube might at any time occur at Port Said. I do not mean to say it is a probable event, but it is obvious that under certain circumstances it is a possible event; and I would put it to Her Majesty's Government as a question not undeserving of notice whether some security might not be provided against possible commercial difficulties by a joint guarantee of the Maritime Powers of Europe—if such does not already exist—or in some other way that the Canal should be open at all times and under all circumstances for the purposes of commerce. I wish to offer this explanation of the sense in which I have used the word "neutrality"—namely, as in the Article of Concession to which I have referred, and not as in any way applying to ships of war. My Question is—to what extent the neutrality of the Suez Canal is secured, and whether there is any guarantee of such neutrality by the Maritime Powers of Europe? I have further to ask, if there is any objection to laying upon the Table of the House Papers or Correspondence relative to the Suez Canal bearing date since June, 1876, to the present time?

LORD HOUGHTON hoped that in his reply the noble Earl the Secretary for Foreign Affairs would not limit his Answer to the free navigation of the Canal to vessels of commerce, but would state how the case stood with respect to vessels of war, which appeared to him to be, under existing circumstances, the most important point with which we had to deal. He believed the Russian Government had ships of war in the Chinese Seas and other parts of the world which they might wish to bring into the Mediterranean for warlike purposes. It was therefore a matter of great consideration whether those ships would be allowed to pass through the Suez Canal and consequently through territory belonging to the enemy of Russia. As the Suez Canal passed through the territory of the Porte it was not improbable that the Porte might think it right to stop the passage of Russian ships or of munitions of war through that Canal.

THE EARL OF DERBY: My Lords, my answer to the Question which my noble Friend (Lord Waveney) has put to me shall be a very short and a very simple one. No Treaty and no international act of any kind exists by which the neutrality of the Suez Canal is secured. By the Firman and the Concession to the Company from which my noble Friend has quoted in putting his Question the Canal is to be open "for ever"—that is the literal translation of the French word—as a neutral passage

for ships of commerce. The Firman, however, I ought to observe, is not in the nature of an international agreement, but is only in the nature of a concession to the Company. Moreover, the language employed in it does not imply neutralization in the ordinary sense in which the word is understood. Neutralization, as I take it, understanding the word as it is commonly employed in international documents, would mean that the Canal should not be used at all in time of war for the passage of ships of war of any belligerent; and I need not point out to your Lordships that under certain circumstances that so far from being an advantage to this country might lead to very serious inconveniences. My noble Friend will therefore see that there is no such guarantee of the neutrality of the Suez Canal by the Maritime Powers as that which he refers to in his Question. I do not think it would be convenient or desirable in reply to a Question such as that put by my noble Friend (Lord Houghton), and there being no matter of discussion before the House, that I should enter into a consideration of all the hypothetical circumstances under which the traffic of the Canal might be interfered with. Probably it will be enough if I repeat what has been said by a representative of the Government in "another place"—namely, that the maintenance of the uninterrupted communication of the Canal is in our view an English interest, one of the highest importance, and one which certainly we shall feel it our duty not to neglect. As regards the Papers asked for by my noble Friend, they are in preparation, and very shortly will be laid upon the Table.

House adjourned at half-past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 4th May, 1877.

MINUTES.]—NEW WRIT ISSUED—*For* Montgomery Borough, *v.* the Honble. Charles Douglas Richard Hanbury-Tracy, now Lord Sudeley.

The Earl of Derby

QUESTIONS.

ARMY SURGEONS—THE ROYAL WARRANT, 1877.—QUESTION.

MR. MITCHELL HENRY asked the Secretary of State for War, If he would state why the Commissions of the gentlemen who were gazetted as Surgeons under the Royal Warrant of April 28th 1877, were not ante-dated as was heretofore the case; and, in the event of their not being ante-dated, will the time spent at the Army Medical School, Netley, count towards promotion for those who may be continued in the Department after ten years?

MR. GATHORNE HARDY, in reply, said, that previous to the year 1876 the time of instruction at Netley was allowed to count as a period of service. When, however, the 10 years' system of short service was adopted, it appeared undesirable to cut off the period during which they were under instruction. It was not desirable to make a distinction between those who left at the end of 10 years and those who did not.

IMPORTATION OF AMERICAN MEAT. QUESTION.

CAPTAIN NOLAN asked the President of the Board of Trade, If the cost of freight of fresh meat from America to this Country (¾*d.* per pound as stated in Return 151) includes the cost of keeping the meat fresh by ice; and, if not, could he state approximately the cost per pound, in addition to freight, of keeping meat imported from America fresh during its voyage to this Country?

SIR CHARLES ADDERLEY: Sir, the rate of freight for conveyance of fresh meat to Great Britain from America is stated in the Return named at 27*s.* 6*d.* to 30*s.* per ton measurement of the space occupied by refrigerators, together with 5 per cent primage, equivalent to ¾*d.* per lb of meat. I am informed this does not include the cost of ice furnished by the shippers. I have no means of stating what this additional cost may be.

ST. CATHERINE'S HOSPITAL. QUESTION.

LORD FREDERICK CAVENDISH asked Mr. Chancellor of the Exchequer,

Whether it is intended to advise Her Majesty to fill up the sinecure office of Master of Saint Catherine's Hospital now vacant?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that some time ago a Commission was appointed, with Lord Hatherley at its head, to inquire into the position of this institution. That Commission had made a Report containing separate recommendations on the subject of increasing the utility of the institution, as the funds had increased, and that Report was now under consideration.

MERCANTILE MARINE — NORTH SEA HARBOUR AND CANAL.—QUESTION.

GENERAL SIR GEORGE BALFOUR asked the President of the Board of Trade, If he will obtain and lay upon the Table of the House the official papers containing the tables of rates and charges of various kinds leviable on the trade and shipping entering and leaving the Great North Sea Harbour of Holland, passing up and down the new Canal, and for loading and discharging at the quays of Amsterdam; and also such other statistics of trade, &c. as will show the progress since this great work was opened?

SIR CHARLES ADDERLEY: Sir, the tariff of tolls and rates leviable for the use of the new canal from the North Sea to Amsterdam was, on the 30th of March last, published *in extenso* in *The Shipping and Mercantile Gazette*, which is much more accessible to the British trade that use the canal and harbour than any Parliamentary Paper can be. The ordinance of the Dutch Government for the general regulation of the navigation of the canal, containing upwards of 70 Articles, was also published *in extenso* in the same paper on the 25th of December last. As the canal was only opened in November last, statistics of trade, &c., for so short a time would not be of much value.

ARMY—"GENERAL MONTHLY RETURN."—QUESTION.

SIR ALEXANDER GORDON asked the Secretary of State for War, Whether he will lay upon the Table of the House, for the use of Members in the Library, a Copy of the "General Monthly Return of the British Army," which is printed every month at the War Office for the use of Government?

MR. GATHORNE HARDY, in reply, said, he would remind the hon. and gallant Gentleman that the Return referred to had always been regarded as a Departmental document. There was, however, nothing secret in it, and he saw no objection to a copy being left in the Library for the use of Members.

GIBRALTAR—PROPOSED TRADE REGULATIONS.—QUESTION.

MR. WHITWELL asked the Under Secretary of State for the Colonies, What steps the Colonial Department is proposing to take with reference to trade at Gibraltar and the neighbourhood calculated to affect British commerce on that coast; and, whether, before any instructions are issued on the subject, they will be laid upon the Table of the House?

MR. J. LOWTHER: Sir, the intention is to frame regulations which, while in no way interposing obstacles in the way of legitimate commerce, shall prevent the port of Gibraltar from continuing to be a smuggling depôt. I am afraid I can add nothing to what I said the other day—namely, that the Manchester Chamber of Commerce have been informed that no final action will be taken until they have been again communicated with, and that a copy of the regulations will be laid upon the Table before they are brought into operation.

NAVY—ROYAL MARINES—PROMOTION AND RETIREMENT.—QUESTION.

MR. SAMPSON LLOYD asked the Secretary to the Admiralty, Whether the Committee appointed to consider a Scheme of Promotion and Retirement in reference to the Royal Marines has made its Report; if it has not reported, whether he can state when it is expected that it will do so; and, if it has reported, whether he has any objection to lay the Report upon the Table of the House?

MR. A. F. EGERTON, in reply, said, that the Committee referred to had not yet made their Report. He was unable to say when it would be ready; but he would take care it should be laid on the Table as soon as possible.

COAL MINES—TYNEWYDD COLLIERY.
QUESTION.

MR. MACDONALD asked why it was—as the right hon. Gentleman the Secretary of State for the Home Department promised—that counsel did not attend the investigation into the mine explosion at Tynewydd?

MR. ASSHETON CROSS, in reply, said, that he was glad the hon. Gentleman had called his attention to the subject. He had given orders more than a week ago, through the Secretary of the Treasury, that counsel were to attend the inquest, and he had sent a message to ascertain why counsel had not attended. He could not imagine the slightest reason why his instructions had not been carried out. He would, however, make inquiries.

THE EASTERN QUESTION—PRINCE GORTCHAKOFF'S CIRCULAR.
QUESTION.

MR. W. E. FORSTER: I beg to ask the Chancellor of the Exchequer a Question of which I have given him private Notice, If he can inform the House whether an answer has been sent to Prince Gortchakoff's Circular to the different Powers at the time of the declaration of war; and, if so, whether he can lay it on the Table of the House?

THE CHANCELLOR OF THE EXCHEQUER: Sir, an answer has been sent to Prince Gortchakoff's Circular, and it will be laid on the Table. I believe that it is not in accordance with the usages of diplomacy to lay a communication of that kind before Parliament or the public until it has been received by the Power to which it has been addressed. We shall know by telegram when it has been received, and then it will be laid on the Table of the House without delay. I presume it will be at the beginning of the week.

RUSSIA AND TURKEY—THE EASTERN QUESTION—MR. GLADSTONE'S RESOLUTIONS.—QUESTIONS.

SIR HARCOURT JOHNSTONE asked the hon. Gentleman the Member for Christchurch (Sir H. Drummond Wolff) and his hon. Friend the Member for Maidstone (Sir John Lubbock), Whether, seeing that Amendments to the right hon. Gentleman's (Mr. Gladstone's) Resolutions had now been placed upon the Paper, and that as, according to the Forms of the House, no Amendment could be proposed after a decision on the Previous Question—whatever that decision might be—had been arrived at, it was their intention to persevere in the Motion of which they had given Notice to move the Previous Question?

SIR H. DRUMMOND WOLFF: I gave my Notice of moving the Previous Question, Sir, because I thought that in the present state of Europe it would be wrong to embarrass Her Majesty's Government in their foreign policy, and that it was therefore undesirable that Parliament should even entertain such a question as that raised by the right hon. Member for Greenwich. I am still of that opinion; but, as I gave my Notice on national and not on Party grounds, I am indifferent whether the Previous Question is moved by the hon. Baronet the Member for Maidstone or myself. If, therefore, the hon. Baronet adheres to his intention, I will readily give way to him, so that the Motion may not appear to have a Party character. But if the hon. Baronet does not intend to adhere to his Notice, then I will move the Previous Question myself.

SIR JOHN LUBBOCK: As my hon. Friend appeals to me, I may be allowed to say that I am of opinion the Resolutions to be moved by the right hon. Gentleman the Member for Greenwich cannot be satisfactorily met either by a distinct negative or by an affirmative, and it is therefore my intention to persevere with the Amendment of which I have given Notice. At the same time, if the Government should desire to support the Amendment of which Notice has been given by the noble Lord the Member for Haddington (Lord Elcho), or any other Amendment implying confidence in Her Majesty's Government, I should feel it impossible to stand in the way of the issue to be raised on such a question.

MR. GLADSTONE: Sir, bearing in mind the various speeches and declarations which have been made from the other side of the House, and especially by the Leader of the House, in expressing the anxiety of the Government to have a declaration of policy stated from this side, I am justified, I think, in

asking Her Majesty's Government, whether it is their intention to use any influence they possess with the hon. Gentleman the Member for Christchurch for the purpose of enabling us in the face of the country to take issue on this question, or whether they are content that the vote should be taken on the Previous Question?

THE CHANCELLOR OF THE EXCHEQUER: I think, Sir, that the question of the right hon. Gentleman is one of a very unusual character, and one to which it is hardly necessary the Government should give any answer. The Motion of my right hon. Friend the Member for Greenwich does not raise any direct issue of want of confidence in Her Majesty's Government; but it sets forth a series of propositions which, as I understand, my hon. Friend the Member for Christchurch and the hon. Baronet the Member for Maidstone are of opinion ought not to be entertained by the House. In these circumstances, it is not the intention of Her Majesty's Government to interfere either with the hon. Baronet opposite or with my hon. Friend the Member for Christchurch, as it is a matter of indifference to us who moves the Previous Question.

ORDERS OF THE DAY.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE MAGISTRACY (IRELAND)—CASE OF MR. ANCKETELL, J.P.

RESOLUTION.

MR. SULLIVAN, in rising, according to Notice, to call attention to the conduct of Mr. William Ancketell, a Justice of the Peace and Deputy Lieutenant of the county Monaghan, in reference to his public conviction of having cut the throats of two dogs belonging to humble people in the village of Emyvale, on suspicion that the dogs had an hour previously barked at and frightened his horse; also to call attention to the conduct of the magistrates sitting at Emyvale Petty Sessions on the 21st September last, and to the circumstances whereby a failure of justice ensued in respect of the prosecutions instituted against Mr. Ancketell by the police, and by the Society for the Prevention of Cruelty to Animals; and to move—

"That, in the opinion of this House, the retention of Mr. Ancketell's name on the Commission of the Peace for the county of Monaghan is not calculated to inspire the humbler classes of the people with respect for the administration of the Law, or with confidence in the impartiality of its application to rich and poor in that locality,"

said, the conduct to which he wished to call the attention of the House was so lawless and brutal, that if Mr. Ancketell had been a humbler individual he would instantly have been punished by the criminal law of the country; and he contended that such a man was not a fit person to be retained upon the Petty Sessions bench to administer the law which he had so grossly violated. In bringing this matter forward, he entirely disclaimed making any imputation upon the character of the magistracy in Ulster or any other Province of Ireland, who, he believed, heartily condemned this transaction. They had often heard of what was called Justices' justice; but he was happy to say that there were few magistrates in Ulster against whom a similar complaint to that he had to refer to could be made. It was an exceptional case; but he would ask the House to say what would be thought if a humble peasant had forced his way into the magistrate's house and cut the throats of two of his dogs? That, however, was the offence which this magistrate had committed. On the night of the 13th August last Mr. Ancketell and a groom were driving through the street of the little village of Emyvale at one o'clock, and the noise of the wheels set the village dogs barking. Had they barked at a commercial traveller with his baggage they would have been safe; but they dared to bark at the gig-wheels of the local Bashaw, and they forfeited their lives for the offence. There was no doubt Mr. Ancketell had some cause for irritation, as the mare he was driving got restive and did some damage; and, in the heat of the moment, if he had shot the dog the case would never have been brought forward. But what did he do? He drove to the police barrack, took his horse from the trap, put it in the stable, and called upon the police to go with him to search for the dogs and take

their lives; but this was an hour after the occurrence. Being a magistrate, the police, who were bound to prevent such an outrage, accompanied him upon his bloody errand, and stood by while he surgically operated upon the dogs. The party went to the house of the widow Armstrong, who, with her household, was asleep. They broke into her yard, and found that there was a dog in one of the out-houses. Her son, a youth, came down to the door in his night-shirt, and in answer to their inquiries said there was a dog in the out-house, and at their bidding unsuspectingly went down the yard and brought out his pet. Mr. Ancketell immediately cut the dog's throat, and, according to the sworn evidence of the boy, the poor animal ran across the road with the blood spurting from its throat, and he followed and took it in his arms until it died. The magistrate crossed the street and found another dog, the throat of which he also cut. He then returned to the police barracks and washed his hands. Was this a gentleman who ought to sit upon the bench at Emyvale to administer the law? Supposing the dogs had even violated a statute in barking at a magistrate's car, was he justified in taking the law into his own hands? Now, he would call the attention of the Government and the House to the manner in which this conduct on the part of a magistrate had been dealt with, notwithstanding every effort that had been made to bring him to justice. If it had been the conduct of a humble individual the police would have left a summons the next morning; but here they did nothing whatever until the Society for the Prevention of Cruelty to Animals took up the prosecution. To show there was nothing of political animus, he might mention that the person who invoked the action of the Society was a strong Conservative gentleman—though he was a dog-fancier it was true. No sooner did the Society take action, and open the prosecution, than the police intervened, bringing a friendly prosecution at the instance of the very policeman who had accompanied Mr. Ancketell in the butchering of the dogs. So little confidence did the people have in their magistracy that application was made that a stipendiary magistrate should be sent down from Dublin to hear the case, but this was refused. Well, the result of the friendly police prosecution was that the mode of death inflicted on the dogs had so little of cruelty in it, and so much of surgical skill, that the case did not come within the words of the statute, "torture of animals," and upon that miserable pretext the case was dismissed. Upon this the Secretary of the Society retired, declaring he would take no further part in a farce. But other gentlemen in the county, and those, too, of the same religion and political opinion as Mr. Ancketell, thought the matter should not rest, and another summons was taken out for the breaking into the premises and the merciless killing of the dogs, and Mrs. Armstrong took out a process for the recovery of the value of the dog—£30. When the second summons was called on, Mr. Ancketell's brother magistrates postponed the case, on the ground that a civil action was pending. He (Mr. Sullivan) complained not only of the conduct of Mr. Ancketell, but also of his brother magistrates, for the part they took in baffling justice, and not exercising the powers of an Act of Parliament. At length the case came before the assistant-barrister of the County Court, who in indignant terms, which ought to suggest the impropriety of Mr Ancketell holding Her Majesty's commission, condemned his conduct, declaring it to be grossly and abominably bad, and decided against him to the fullest extent. Mr. Ancketell appealed to the going Judge of assize (Mr. Justice Barry), and carried that appeal. He (Mr. Sullivan) did not know who had the selection of foremen; but it was a singular circumstance that when the case was being called Mr. Ancketell was taking his seat as chairman of the Grand Jury upstairs. He had been fined a sum representing the value of the dog, and the amount was reduced on appeal from £10 to £5. At the same time, the Judge asked where was the policeman who stood by when the brutal act was done; and being told that he had left the Force, replied that the Force would be the better for it. Thanks to the action of the Superior Courts, widow Armstrong had received at least some satisfaction; but what satisfaction had been given to the outraged humanity of the country? Mr. Ancketell had accused him (Mr. Sullivan) of having brought this question forward from political mo-

Mr. Sullivan

tives, and because of his (Mr. Ancketell's) high social position and political opinions; but the fact was that when he (Mr. Sullivan) put his Question to the right hon. Baronet the Chief Secretary on the subject, he had not the remotest notion of what Mr. Ancketell's political opinions were, nor that he considered himself of such lofty social position. It so happened that Mrs. Armstrong, whose dog he had butchered, was of the same political opinions as himself; and it had been asserted that, although representing himself as a Constitutional Tory, this gentleman was, under the rose, a Home Ruler, having been present at a Home Rule banquet held in Dublin. The question before the House, however, was not one of Party politics, but whether the conduct complained of was of a nature that was calculated to inspire the people of Ireland with confidence in the administration of justice by the magistrates of the country. He would conclude by moving the Amendment of which he had given Notice.

MR. ANDERSON said, he had great pleasure in seconding the Motion. Even if Irishmen could be accused of party bias in the matter, he as a Scotchman could not. He knew nothing otherwise of Mr. Ancketell, either of his social position, or of his political views. All he knew was that he had read all the evidence in this case carefully. He saw that Mr. Ancketell was a magistrate, a justice of the peace, and a deputy-lieutenant of the county, and he must say that he was perfectly horrified with the evidence he read. Not only were the dogs not identified as those which frightened the horse, but the act was one of utter brutality. It was the case of a man of social position, a magistrate, a gentleman, going deliberately out into a village to cut the throats of two dogs which were not in any way injuring him at the time, the only excuse being that an hour before he supposed that these dogs had annoyed him. How could the people of Ireland place any confidence in the magistracy of Ireland, or in the administration of the law, when a magistrate like that could retain his position on the Bench? The man should have been kicked off the Bench immediately by an indignant Government; and he had greatly regretted to hear the right hon. Gentleman the Chief Secretary for Ireland endeavour to palliate the offence when it was brought on some time ago. He hoped that right hon. Gentleman, now that he had read the evidence, would no longer attempt to palliate it, but would visit it with the righteous indignation it deserved.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the retention of Mr. Ancketell's name on the Commission of the Peace for the county of Monaghan is not calculated to inspire the humbler classes of the people with respect for the administration of the Law, or with confidence in the impartiality of its application to rich and poor in that locality,"—(*Mr. Sullivan,*)

—instead thereof.

SIR MICHAEL HICKS-BEACH deprecated discussion on this matter at the present time. The Motion of the hon. Member for Louth (Mr. Sullivan) was practically that Mr. Ancketell should be dismissed from the commission of the peace for his conduct. He could not reply to the Motion in so far as it merely referred to Mr. Ancketell, as proceedings in that respect were still pending. In the month of March the hon. Member for Louth brought this matter forward in the shape of a Question, to which he (Sir Michael Hicks-Beach) replied that he would forward such information on the subject as he possessed to the Lord Chancellor of Ireland, with whom the decision of such matters rested. He accordingly handed papers to the Lord Chancellor next day; and the Lord Chancellor required from Mr. Ancketell an explanation of his conduct. Mr. Ancketell furnished an explanation, with which the Lord Chancellor was not satisfied, and the latter deemed it necessary to advise the Irish Government to issue a Commission to inquire into the circumstances of the case. The special Commissioner appointed was a very eminent lawyer, who had, on many occasions, held an important position as going Judge of Assize—namely, Dr. Battersby—whose other engagements prevented him from holding the inquiry so soon as he would otherwise have done. The inquiry had been made, but the Report had only come into his hands a few days ago, and it had to be sent to the Lord Chancellor for Ireland before anything further could be done. He (Sir Michael Hicks-Beach) informed the hon. Member for Louth of these facts yesterday, and had suggested to him to consider whether it would not be better that the Motion should not be

discussed that evening; and he was bound to say, although their conversation was private, that the hon. Member appeared to regard the matter in the same light. The House would feel that, in this state of things, he was precluded from saying one word on the merits of Mr. Ancketell's case; because the matter was one which was for the decision, not of himself, but of the Lord Chancellor of Ireland, and he had no doubt that his decision would be consistent with justice and with the facts of the case. He, however, wished to say that the charges which the hon. Member for Louth had brought against the magistrates on the local Bench were entirely without foundation. The circumstances were these — Summonses against Mr. Ancketell were issued at the instance of the police and the Society for the Prevention of Cruelty to Animals. These summonses were wrongly taken out under the Cruelty to Animals Act; and the magistrates, acting as they were bound to do, held that they were unable to convict under the provisions of that statute—that there was not in the mere killing of the dogs a statutable case of cruelty proved on which they could convict. The hon. Member for Louth had looked upon this as a mere technical objection; but he (Sir Michael Hicks-Beach) should be sorry to blame the magistrates for declining to go beyond the letter of the law. Those summonses were dismissed after full hearing. Subsequently, a fresh summons was issued at the instance of Mrs. Armstrong against Mr. Ancketell, under the proper statute, for malicious killing; but the hearing of that summons was adjourned in consequence of civil proceedings being commenced by both sides, Mrs. Armstrong claiming damages for the loss of her dog, and Mr. Ancketell claiming damages for the injury to his horse and carriage. These actions were tried at the quarter sessions, and from the best information he could obtain he did not believe that the Chairman made the remarks which the hon. Member for Louth had been informed that he had used. He believed further, that the decision of Judge Barry was arrived at not only without influence being brought to bear on the learned Judge, but absolutely without Mr. Ancketell giving evidence on being represented in any way at the hearing of his case. That was all that he had to state to the House upon this subject that evening, except to say that, looking at the position in which the matter stood, he regretted that the hon. Member for Louth should have brought it forward on this occasion, and that he trusted, after the statement he had made, the hon. Member would withdraw his Motion; or that, if pressed, the House would decline to assent to it.

MR. SULLIVAN wished to say that he had twice offered in conversation with the right hon. Gentleman to postpone the Motion, if his doing so would have been a convenience to the right hon. Gentleman; but that he had understood the right hon. Gentleman to say that there was a portion of the Motion to which his objections did not apply.

SIR MICHAEL HICKS-BEACH explained that the hon. Member had certainly offered to postpone his Motion as a matter of favour to himself; but, of course, he could not ask him to postpone it upon such a ground as that.

SIR JOHN LESLIE, as one of the magistrates who sometimes presided at the petty sessions of Emyvale, and one of the Representatives of the county in which this affair occurred, was anxious to refute and repel the charges and the insinuations which the hon. Member for Louth had made against that Bench. When reduced to the proportions of truth the circumstances were utterly insignificant, and it must be regarded as a favourable sign of the calmness and of the happy condition of Ireland that the hon. Member for Louth could waste his time and his eloquence on a matter so utterly insignificant as that now before the House. He thought the hon. Member must be at a loss for employment—at all events, for a legitimate grievance on which to exercise his talents. *Aquila non capit muscas*—the eagle did not usually condescend to swoop at a fly. As far as concerned Mr. Ancketell, he was entitled to say that this Motion ought never to have been made, because the whole subject had been fully gone into by the hon. Member on the 15th of March in putting his Question to the Chief Secretary for Ireland. The Answer to that Question was, that the facts stated in the hon. Member's Question were in many parts inaccurate, and in others very much exaggerated. That he conceived to be an almost complete answer to the Motion of the hon Member. With regard to the magistrates, the hon. Member for Louth had allowed their

names to remain on the Paper for five or six weeks in connection with imputations highly dishonourable to them, which had been already fully and entirely answered by the Report of Dr. Battersby, who had exonerated them from all reproach in the matter, and had expressed his opinion that they had conducted themselves throughout the whole business with the greatest possible propriety. The House would probably be curious to know how this small village scandal came into such remarkable prominence. There were three causes for it. In the first place, he attributed it to the machinations of an unprincipled attorney living in the neighbourhood; secondly, to the injudicious and intemperate conduct of the Chairman of the Quarter Sessions; and, thirdly, to the unmistakeable desire on the part of the hon. Member for Louth, as well as of other hon. Members who had equally attacked the magistrates in different counties, to bring into disrepute the Protestant magistrates of Ulster. With regard to the first cause—the machinations of the unprincipled attorney—[*Laughter*]—probably hon. Members did not believe that there was in existence such a thing as an unprincipled attorney; but, for his own part, he believed that that there was one. Mr. Ancketell was allowed to repose for a fortnight after committing these indiscretions. [*Laughter.*] Well, they were merely indiscretions. Mr. Ancketell was young, and, like others who were young, indiscreet. For his own part he (Sir John Leslie) did not defend the act, but it was an indiscretion. A fortnight after that act had been committed, Mr. Ancketell did what everybody of proper feeling would, under the circumstances, do. He expressed his great regret for what he had done in the public newspapers, and offered to compensate the owners of the dogs—an offer which the owners would have been only too happy to accept had the unprincipled attorney not appeared upon the scene. The unprincipled attorney had addressed the following letter to a friend of Mr. Ancketell—

"Omagh, Sept. 10, 1876.

"My dear——,—You have taken such an interest in this horrible case of Ancketell's, I do not hesitate to tell you all the facts, as on his father's account I don't want to bring unnecessary disgrace upon him; but he must pay handsomely for such an outrage. You say you wonder who has put the Humane Society in motion. I reply, it is done under my advice, so that we may be fully prepared with the evidence on the trial of the record in Dublin, in November. The summons and plaint are ordered in both cases by my son, and I fancy a Dublin jury will give sweeping damages in a case of the kind. You say you would wish the case hushed up. If so, let Mr. Ancketell send you down £50, and on receipt of it, I shall do all I can to withdraw all actions, and shall try and get the Society to forego further proceedings, on the ground of Mr. Ancketell having compensated the parties fully; and if they do not withdraw, I will, or my son will attend the Bench and state Mr. A. has fully compensated and made amends, and thus get a nominal fine. If Mr. Ancketell does not at once adopt this course, he need not expect any favour from the hands of yours faithfully,

"CECIL MOORE."

So much for an unprincipled attorney. Mr. Ancketell had been prosecuted no less than five times. He had been followed about by attorneys and lawyers. Mr. Ancketell was at last brought to bay before the Chairman of the Quarter Session in a civil action for damages—the value of these wild beasts. The Chairman of the Quarter Sessions showed a decided bias against Mr. Ancketell. That the Chairman was wrong was proved by the fact that the Judge of Assize, on an appeal from the decision of the Chairman, reduced by one half the amount which the Court of Quarter Sessions ordered Mr. Ancketell to pay. Tact, temper, and discretion were qualities which were requisite in a Chairman of Quarter Sessions, and he was bound to say that the county of Monaghan was most unfortunate with regard to the qualities displayed by their Chairman of Quarter Sessions. Almost simultaneously with the bringing of this charge against Mr. Ancketell, three other charges were brought against different magistrates. Those charges had been disposed of. They seemed to owe their origin to a desire to attack the Protestant magistrates of Ulster. Admitting that Mr. Ancketell had committed a fault, he did not see why that gentleman should be made a scapegoat of in order to bring odium upon the county magistracy in Ireland. He would ask the House to contrast the tender emotion—the more than feminine sensibility—that the hon. Member for Louth had shown for the possible physical suffering of two cur dogs, with the pain, the moral pain he was inflicting on those of his own species. Mr. Ancketell had a wife, a mother, a sister. Had they no hearts to feel, no human sympathies to be wounded when they had

to witness their husband, son, brother dragged through the mire of calumny, held up to public infamy and disgrace? But it was well for Mr. Ancketell as for those he held dear, that there was a tribunal such as this, which was guided by truth, and which administered impartial justice; and, therefore, he (Sir John Leslie) appealed to the House to declare that the magistrates were free from even the slightest suspicion of reproach, and to restore Mr. Ancketell to the good opinion of all honest men, as also to the enjoyment of an unsullied reputation.

SIR COLMAN O'LOGHLEN said, that the Question of his hon. Friend (Mr. Sullivan) first appeared on the Notice Paper on the 4th of March, and on the 15th of March the Chief Secretary promised to refer the matter to the Lord Chancellor of Ireland for investigation. It was extraordinary that it should take two months to discover whether or not a magistrate had acted improperly, and that the Report of that investigation had only been communicated to the Chief Secretary on the day before this Motion was made. The hon. Gentleman the Member for Louth had acted without communication with him; but in October last he (Sir Colman O'Loghlen) happened to read a report of the case, and he was so shocked at it that he immediately addressed a letter to the Lord Chancellor, stating that he knew nothing of the case, except what appeared in *The Irish Times;* that by a reference to the Chairman of Quarter Sessions, the Lord Chancellor could ascertain whether the strong statements were true; and that if they should be found true, Mr. Ancketell was, in his opinion, unfit to hold the commission of the peace. Mr. Ancketell had a good and earnest advocate in the hon. Member for Monaghan (Sir John Leslie); but he must complain of the observations he had used. He had spoken of a solicitor, Mr. Cecil Moore, in unjustifiable terms, seeing that he was not there personally to defend himself. The language "unprincipled attorney" was, he thought, language unfit to be used by a Gentleman in that House. He had also attacked the Chairman who had tried the case, and stigmatized his conduct as most partial and unfair. [Sir JOHN LESLIE: No, Sir; I said most injudicious.] He had understood the hon. Baronet to say "that the Chairman had shown a decided bias." If he was wrong, he apologized. Having the honour of the acquaintance of the Chairman attacked, he would appeal to everyone who knew him, and in particular to the right hon. and learned Attorney General for Ireland, whether he was not the last person against whom such an imputation could be made. The decision was that of a jury, and the Chairman's language was not stronger than was jutified, and he believed that if Mr. Justice Barry had been aware that Mr. Ancketell had been examined before the jury and the Chairman, he would not have altered the decision of the Court of Quarter Sessions. He did not know whether his hon. Friend would divide the House on the question, but he thought it was quite proper to bring it forward. The Lord Chancellor ought to have investigated it much earlier than he did.

MR. CALLAN said, he had had the privilege of knowing the gentleman who had been spoken of as the "unprincipled attorney" for the last 12 years. Differing as he did, both in politics and in religion from Mr. Cecil Moore, the gentleman referred to, he wished to say there was not any professional gentleman in the North of Ireland who was more highly respected. As a proof of the high estimation in which he was held, he might mention that the Government had lately appointed him to the responsible office of Clerk of the Rules in the Common Pleas, and the appointment had been unanimously approved by the Profession. He therefore felt pained, and he must be allowed to tell the hon. Baronet that the expression he had used was an infringement of the privileges of the House, and he was confident that he would not use that language outside of the House. [Sir JOHN LESLIE: I read a letter in support of my statement.] He had taken down the words, and he appealed to hon. Members whether the hon. Baronet was reading from a letter at the time. Perhaps he would avail himself of the opportunity to withdraw the expression, which he (Mr. Callan) was sure the hon. and learned Attorney General for Ireland had been pained to hear. In that case he (Mr. Callan) would be satisfied. When the hon. Baronet spoke of the cruelty to the ladies of Mr. Ancketell's family which this Motion would inflict, he should have thought of the pain which his own remarks were sure to inflict upon the female members of Mr. Moore's family.

MR. LAW said, he agreed with the hon. Baronet opposite (Sir John Leslie) that gentlemen in a judicial position ought to be possessed of tact, temper, and discretion. And the question which had now to be decided by the authorities in Ireland appeared to him to be whether in this unhappy matter Mr. Ancketell had conducted himself with such tact, temper, and discretion as that he could with advantage to the public interest any longer remain in the commission of the peace. The House was not in a position at the present moment to deal with the subject; and when the Government had had time to consider the Report that had been made by Dr. Battersby, it was not to be assumed that they would adopt any course of which the House would have reason to complain. The hon. Baronet must surely regret having in such sweeping terms brought under the very unpleasant notice of the House persons who could have had no idea that they would be thus attacked. They had had the phrase—"the machinations of an unprincipled attorney" applied to Mr. Cecil Moore over and over again. Now, Mr. Cecil Moore had lately been selected by the present Government for a most responsible and important office in one of the Superior Courts of Ireland, having been promoted to it from one which he previously held in the county of Tyrone. The House, he hoped, would do the Government, as well as Mr. Moore, the justice of believing that they would not have placed Mr. Moore in that position, if he had really been a person who deserved the epithets which had been applied to him that evening. It was, too, in his (Mr. Law's) opinion, unfortunate that language had been used as to Mr. Barron, the Chairman of the County Monaghan, accusing him of showing a decided bias in dealing with this case. A Judge must, of course, form a decided opinion, or he would probably not come to a decision at all. But was not such language as had been used calculated to shake the confidence felt by the people of the county in their Chairman? Having, he (Mr. Law) presumed, arrived at the conclusion that he ought to give a decision adverse to Mr. Ancketell, Mr. Barron pronounced his judgment against him accordingly; but it must in all fairness be believed that, in so doing, he proceeded on the sworn evidence in the case, and not on any prejudice or prepossession against Mr. Ancketell. He concurred with the hon. Baronet's observation that consideration should be had for the feelings of relatives; but that principle must not be pressed very far, or it might be used to screen any official from having his conduct brought into question. He would, however, ask the hon. Baronet whether he thought that Mr. Cecil Moore or Mr. Barron had no near relatives whose feelings were entitled to consideration? There was, as it seemed to him (Mr. Law), some justice in the complaint that a stipendiary magistrate, unconnected with the district, had not been sent to preside at the Petty Sessions, having regard to the existence of so much local feeling. In conclusion, he would suggest that the hon. Member for Louth should withdraw his present Motion.

MR. BUTT said, that he entertained the highest respect for the privilege of Members of the House to speak freely and openly their opinions. But if a gentleman was unfairly attacked, as in this case, he thought it equally right that those who knew him should testify what they knew in his favour. Now, it was the simple truth that there was no man who occupied a higher position in his Profession than Mr. Cecil Moore. He could not understand that any letter in the least degree justified the epithet of "unprincipled," which the hon. Baronet (Sir John Leslie) had applied to Mr. Cecil Moore, or the statement that the beginning of this business was the machination of an unprincipled attorney.

SIR JOHN LESLIE: My words—"unprincipled attorney" had reference entirely to the proposal for the payment of £50.

MR. BUTT said, he did not think that that proposal in any way justified the the hon. Member's expression. There was nothing discreditable to Mr. Moore in the letter, and the hon. Baronet must have known that no man in the North of Ireland stood so high in his Profession. Mr. Moore had been selected to take one of the most important offices connected with the administration of justice in the Irish Courts. He thought it was his duty to say that the expression "unprincipled attorney," as applied to Mr. Cecil Moore, would be simply looked upon as an outrage in Ireland.

MR. SHARMAN CRAWFORD believed Mr. Barron to be most careful and painstaking, both as a magistrate and an assistant barrister.

MR. W. JOHNSTON declared that in professional as well as in private life Mr. Moore, who had been a personal friend of his for many years, occupied the highest rank.

LORD CLAUD HAMILTON likewise bore testimony to the high character of Mr. Moore, and suggested that the hon. Member for Monaghan should withdraw the offensive expressions he had used. For his own part, he did not altogether defend the letter, but he did not think it ought to be pitted against Mr. Moore's long honourable and straightforward professional career.

MR. M'CARTHY DOWNING concurred in the good opinion which had been expressed of Mr. Moore's professional and private character. With reference to the main question before the House, he stated that some years ago an Irish magistrate named O'Driscoll struck a boy with a whip for not telling him which way a hare had run, and that the Lord Chancellor of the day decided in consequence that Mr. O'Driscoll was unfit to hold his position on the Bench.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) observed that the Motion had been brought forward at a most unfortunate time, and that the hon. Member for Louth (Mr. Sullivan) ought in fairness to have postponed it in accordance with the suggestion of the right hon. Gentleman the Chief Secretary for Ireland. [Mr. SULLIVAN: No such suggestion was made.] Well, as the hon. Member was no doubt aware that an inquiry was being made into the circumstances of the case by direction of the Lord Chancellor of Ireland, his own judgment ought to have led him to take that course. He was the only Member who had directly referred to the transactions connected with the case, for nearly all the other hon. Gentlemen who had spoken had alluded to other matters, and he (Mr. Gibson) thought it would have been better if the hon. Member had waited until that decision had been announced. He believed the Lord Chancellor of Ireland could not have taken any earlier action than he did, as the matter was still *sub judice* until very recently. On October, when the representation was made that had been referred to by the right hon. and learned Member for Clare (Sir Colman O'Loghlen), an appeal was actually pending which could not be heard before the Judge of Assize until the recent Spring Assizes. Therefore, it would have been both unreasonable and unjust for the Lord Chancellor to have prejudiced the case. Whatever offence Mr. Ancketell might have been guilty of, it would have been unjust and unreasonable on the part of the Lord Chancellor of Ireland to have taken action in respect to it until all the facts of the case had been fully ascertained, and for that purpose, he sent down one of the most experienced and able Queen's Counsel at the Irish Bar to make a full investigation in open Court at the very scene of the occurrence. He ventured to think that his right hon. and learned Friend opposite (Mr. Law) had not rightly gathered the facts of the case. He understood the hon. Member for Louth to concede that Mr. Ancketell took no part in the decision of any of the cases at the petty sessions. [Mr. LAW said he merely alluded to the constitution of the Bench.] He came to the conclusion that it was suggested that Mr. Ancketell was sitting on the Bench and taking part in the cases; but after the explanation no more need be said on that subject. It was said to be unfortunate that, under the circumstances of the case, a resident magistrate was not present; but when the second summons was brought forward, of unlawful killing, a resident magistrate (Mr. White) of very great experience, was in attendance, and the Bench was unusually strong. On that occasion it was decided, as was not unusual, to postpone the criminal proceedings till the civil action had been tried. The matter was not in position for decision. He did not think the Papers were yet before the Lord Chancellor, but he had no doubt—and no one in that House could doubt—that the Lord Chancellor of Ireland would mete out justice to all parties, whether it might result in the vindication or punishment of Mr. Ancketell. Under these circumstances, he thought the hon. Member for Louth ought to withdraw his Motion.

MAJOR O'GORMAN said, Mr. Ancketell certainly appeared to him a most fortunate individual, for there had been a Commission sent down to inquire into the circumstances of his case; and no end of magistrates were present when

the inquiry was gone into. When he (Major O'Gorman) was deprived of the commission of the peace no Commission was sent down at all to inquire into his case. But then it was not a gentleman of the name of Ball, but one of the name of O'Hagan, who was Lord Chancellor. He had since been ennobled with the title of Baron O'Hagan. He sent down no Commission; he simply wrote him (Major O'Gorman) a letter something like this—or, rather, Mr. Uppington, his secretary, wrote—"Sir, I wish to know if you wrote a letter which appeared in *The Freeman's Journal* on such a day, and if it was published by your authority." He took up his pen and wrote back—"Sir, I beg to acquaint you, for the information of the Lord Chancellor, that the letter in question was written by me, and published by my authority." And then he was deprived of the commission of the peace, without receiving the common rights which a convicted felon should receive. A man convicted of a capital crime was usually asked by some official whether he had anything to say why sentence of death should not be passed upon him, but he had not been asked a single question at all. Now, he thought it a very admirable thing to have such a Chancellor as Lord Chancellor Ball, who took time to consider the circumstances of every case. He was not so very rapid in his decisions, but he was principled in fact. He (Major O'Gorman) remembered that one day he was standing in Sackville Street, when he met a friend. His friend said to him—"Do you know whose carriage that is passing by?" He replied—"No, I don't." His friend said—"That is Lord Chancellor O'Hagan's carriage." "Well," said he, "what do I care?" His friend rejoined—"He is going to learn the art of equitation." Just at that minute, a third party came up, an ill-natured man, very. He (Major O'Gorman) said—"That is Lord Chancellor O'Hagan, and he is going to learn the art of equitation." "Well," the ill-natured man replied—"It would be a very fortunate thing for the miserable suitors attending his Court if, in addition to learning equitation, he would try and teach himself a little equity."

MR. SULLIVAN said, he would not press his Motion to a division. In deference to what he took to be the feeling of the House he would withdraw it until they had the decision of the Lord Chancellor before them. ["No, no!"]

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question proposed, "That Mr. Speaker do now leave the Chair."

THE CHANNEL ISLANDS—THE LAWS AND JUDICATURE—CASE OF COLONEL DE FABY.—OBSERVATIONS.

MR. J. COWEN, in rising to call attention to the case of Colonel De Faby, said, the House had been for the last hour-and-a-half engaged in commenting on the proceedings of the Irish magistracy. He would invite them for a short time to turn their minds to the magistracy in the Channel Islands. He wished to call attention to a case of singular severity and oppression that had recently occurred in Guernsey. His object in doing this was two-fold. He was desirous of securing some consideration or compensation for an unfortunate gentleman who had suffered great harshness at the hands of the authorities in that island. In the second place, he was anxious to use the incidents of the case for showing the necessity there was for a complete and radical reform in the administration of justice in these small dependencies. The Constitution existing in the Channel Isles was substantially the same as was in operation in the 12th century. The administrative and fiscal departments had not been materially altered since the time of the Norman Conquest. There had been no attempt to adapt their laws to the altered circumstances and the new conditions of modern life. While every other portion of the United Kingdom had had its institutions re-cast, those in the Channel Islands had remained stationary and stereotyped. They were a sort of constitutional or local Rip Van Winkles. While the other parts of the Kingdom had been progressing they had been asleep—only their sleep, instead of being of 20 years' duration, like that of Washington Irving's hero, had extended over 20 times 20 years. The facts of the case he wished the House to consider were briefly these:—Colonel de Faby was a French officer. When a young man he served with the French Army in Algiers. Afterwards he held a situation of re-

sponsibility and trust in the Civil Service. At the commencement of the war with Germany he resumed his military profession at the wish of the Government, and was given the command of a regiment. He went through all the disastrous campaign on the Rhine—at Woerth, Metz, and afterwards at Sedan. When peace was concluded, along with many other partizans of the Empire, he returned to the Channel Isles. Messrs. Rouher, Baroche, and others went to Jersey. Colonel de Faby, his wife, his father, and mother, went to Alderney. His father had been connected with the Consular Service, and was at that time in receipt of a pension. This was in 1871. In 1872, M. de Faby, sen., died, and shortly after his wife also died. A dispute arose as to the disposition of some property that M. de Faby left. Mr. Clucas, the Judge in Alderney, and his wife, had made the acquaintance of Messrs. de Faby, and when the old gentleman and his wife died Mrs. Clucas alleged that they had left her some jewellery and other property. This statement might be correct, or it might be incorrect—he was not in a position to offer an opinion. Colonel de Faby alleged that Mrs. Clucas had got possession of the property of his father and mother fraudulently, and he brought an action against her in the Alderney Court; but, strange to say, Mrs. Clucas's husband was the Judge, and he actually presided on the case when the charge against his wife was preferred. Such a proceeding might be legal, but he thought the House would admit that it was not altogether decent. When the case was considered the Judge charged Colonel de Faby openly in the Court with being a liar—adding to the phrase a somewhat offensive adjective which he, however, did not care to repeat. The case was removed from Alderney to the Royal Court at Guernsey, and was yet unsettled. The law in those islands was sometimes very prompt, and at other times it was as slow as in the old Chancery Court in this country. Shortly after the death of his parents, Colonel de Faby settled in Guernsey, and with the assistance of some of his friends, commenced a newspaper. The paper was established in 1873, and had a fair measure of success. In 1876 Mr. Clucas, the Alderney Judge, died. Colonel de Faby, in his paper, gave a sketch of his life, and commented upon his career as a Judge and a public man. In this he followed the example of other and more influential papers on the death of any local or national celebrity. It was out of this article that the unhappy dispute had arisen. He (Mr. Cowen) was willing to admit at once that the article was a very severe one. It was written with great smartness and sarcasm. It set forth the career of Judge Clucas in not a very attractive light. He did not defend the article, nor did he apologize for it; but he thought it was only fair to the writer to state that he had had great provocation. It should also be stated that Mr. Clucas himself had either published or caused to be published a pamphlet reflecting on the life and character of Colonel de Faby which was quite as severe, if not more objectionable, than the offending article. Mrs. Clucas commenced an action for libel in the Royal Court at Guernsey. When Colonel de Faby was summoned to appear before the tribunal he found to his astonishment that Mr. Utermarck, the Attorney General had been retained for the prosecution. This gentleman had been retained previously by Colonel de Faby to prosecute Mrs. Clucas for fraudulently getting possession of his mother's property; and yet, notwithstanding this, the gentleman considered there was no breach of legal etiquette or custom for him to turn right round and offer his services to his former client's opponent. English barristers would consider such procedure utterly indefensible. Mr. Utermarck had become possessed of a full knowledge of Colonel de Faby's case from that gentleman's self, and yet he transferred his services to Colonel de Faby's opponent in a case arising out of the same dispute. The simple statement of the fact would in the estimation of all the lawyers in this country be sufficient to condemn the procedure. There was another point in which the case against Colonel de Faby was conducted in an irregular, if not in an illegal manner. It was the custom in the Channel Isles to associate the officers of the Crown with both the plaintiff and defendant in certain cases. The Attorney General was joined to the plaintiff, and the Controller was joined to the defendant. These officers were not to act as advocates, but to use their supposed superior knowledge in guiding the Court when

settling all difficult legal points. Probably no one in the House would contest this statement; but he would refer hon. Members to the Report of the Royal Commission appointed in 1846 to inquire into the Criminal Law of the Channel Islands, and which would fully bear out what he had just said—that the Law Officers of the Crown ought to be associated in such cases with both parties to the trial; and that therefore legally Colonel de Faby should have had associated with him the Controller of the Guernsey Court. The Attorney General was with his opponent; but Colonel de Faby had no one associated with his advocate. He stood, therefore, at a great disadvantage in not having his case fairly put before the Court. The House would know that the Court in Guernsey consisted of the Bailiff, who presided, but took no part in arriving at any decision—he simply explained points of difficulty and legal doubt. The Jurats or judges were the parties who were supposed to try the case. The two Law Officers, the Attorney General and Controller, constituted really part of the tribunal, and no Court for trying a case of criminal libel was fairly or legally constituted without the Crown officers were adjoined to both the prosecution and the defence. That was the first disadvantage under which Colonel de Faby laboured, and it was not only an irregular, but, as he contended, an illegal procedure. In the second place, the law in Jersey required that all the witnesses, both for the plaintiff and defendant, should be summoned by the Attorney General, and their expenses paid by the Crown. He did not think the Home Secretary would contest that point either; but if he did, he would refer again to the Report of the Royal Commission. Colonel de Faby, it would be seen, when he went to the Court, was placed in a very adverse position. He found that the lawyer who had been his advocate against Mrs. Clucas had turned round and had become his prosecutor; that the Court was not legally constituted and he was deprived of the assistance that ought to have been extended to him by the Controller being associated with his advocate; and, in the third case, none of his witnesses were in attendance. His case was, therefore, practically undefended. His advocate, Mr. Falla, had given a list of these witnesses to the Attorney General, and according to the law of Guernsey, that official ought to have summoned the witnesses. He failed to do so; and, therefore, placed Colonel de Faby at very serious disadvantage. When the case was heard, the Attorney General Utermarck made a very violent speech against Colonel de Faby. Instead of contenting himself with a calm and judicial exposition of the law, he entered into a virulent personal attack upon the defendant, and declared in conclusion that he wished the Court had the power of realizing in practice the well-known couplet—

"To put in every honest hand a whip
To lash the rascal naked through the world."

The Attorney General was required in Guernsey to demand the amount of punishment that should be inflicted. He demanded a fine of £400 upon Colonel de Faby—£200 to go to Mrs. Clucas and £200 to the Crown. It was usual for the Court to halve the demand of the officer; but, in this instance, no opinion was offered by the Court at all. The Bailiff was an old man, 75 years of age, did not hear well, and consequently was not thoroughly acquainted with what took place before him. All that he said on the occasion was, that it was to be regretted that the witnesses for Colonel de Faby had not been called. The Jurats made no comment, and the result was that, without any formal judgment being pronounced, Colonel de Faby was practically sentenced at the demand of his opponent's lawyer, to the very heavy fine that he (Mr. Cowen) had just mentioned. No sooner had the Jurats bowed their acquiescence to the decision, than the Attorney General cried out in Court to the Sheriff to "collar" Colonel de Faby, who was thereupon taken to the Sheriff's office, and a demand made that he should pay the £400, or go to prison as a debtor for the sum. Colonel de Faby was quite unable to meet such an extortionate claim, and he went to gaol. For 10 weeks he was treated as an ordinary debtor, had his victuals supplied, edited his newspaper, and was allowed to conduct his business. During this time the arbitrary procedure of the Attorney General had been the subject of comment in the island, and had been discussed with some warmth in the newspapers. The authorities then adopted a very extraordinary mode of curtailing

the sale of Colonel de Faby's journal. The Attorney General, or some of the officials in the island, sent the constables to the different agents and urged them not to sell Colonel de Faby's paper, intimating to them, at the same time, that if they did so they would be liable to the same or nearly similar punishment as had been meted out to Colonel de Faby. This very extraordinary procedure seriously injured the sale of the journal, and no doubt the interference of an officer so powerful as the Attorney General would have an effect in a small island with a population of 30,000 or 40,000, which would fail if in a large community. Soon after, without any notice, a most extraordinary change in the treatment of Colonel de Faby was made. Up to that time he had been treated as he (Mr. Cowen) had said, as a debtor, but afterwards he was treated as a criminal, and transferred from one side of the gaol to the other. It would appear that the Court, for some reason or other, held a private sitting, and a sort of Guernsey Star Chamber declared that this change should take place. Colonel de Faby was not summoned before the Court, had no notice that his case was to be re-considered, nor had his advocate any intimation that anything was to be done; but in his absence, privately and secretly, the change in his treatment was effected. Anything more unjustifiable and more out of accord with an Englishman's notion of justice he could scarcely conceive. Colonel de Faby was in extremely bad health when he was sent to prison. He was suffering from such an accumulation of complaints as any man that had been through the terrible campaign of 1871 could be well supposed to suffer from. The medical officer of the gaol, with much more humanity and good feeling than the lawyers, declared that if the treatment of Colonel de Faby as a criminal was persevered in he would certainly die. Indeed, he believed this benevolent official gave notice to the governor of the gaol that if he transferred the debtor to the criminal side of the prison, that it would be nothing less than assassination, and he declared that he would take the consequences of the gaoler refusing to comply with the arbitrary order of the Court. Colonel de Faby, although not removed in consequence of the urgent remonstrances of the surgeon, was still kept in close confinement 22 hours out of the 24. The doctor again interfered, and declared that unless a larger amount of fresh air was given and the door of his cell was opened, his state of health was such that he would certainly die. This humane recommendation of the doctor was again complied with; but the case, meanwhile, had excited a large amount of sympathy and attracted great interest in the island. The Lieutenant Governor, the Home Secretary, and the Queen had all been communicated with, and the case of Colonel de Faby had been brought before them all individually. In December last the Lieutenant Governor wrote to Colonel de Faby intimating to him that his imprisonment should terminate in a month—that was to say, six months after the trial—that on January 15th he would be released; but that he would be required to leave the island. On the day mentioned, Colonel de Faby was taken out of prison, and though in a very bad state of health and unable to make much exertion, he was taken to the steamboat in charge of the constable and banished to Jersey. He was not informed why he was sent away —no charge was made against him warranting such banishment—he was simply deported in accordance with the order of the Governor. He (Mr. Cowen) made no charge against the Governor of acting illegally, as he believed the law permitted the Governor to transport an alien without trial under certain circumstances. The custom was a very old one; but it had been acted upon repeatedly even at comparatively modern times. In 1856, Victor Hugo, Piancini, and nearly a score of French, Polish, and Italian exiles were banished from Jersey by the edict of the Governor. These gentlemen had written severe articles respecting the Emperor of the French. The Governor, in consequence, sent them out of the island without accusation or trial. There was, however, usually some reason, good or bad, for laws of this kind, which, as in this case, gave the Governor of the Channel Islands the power of deportation. The islands were within sight of the French coast, and in time of war it was feared that foreigners in small numbers might land on the shores, promote insurrection, and lead to their occupation by the Queen's enemies. No one, however,

would pretend to say that Colonel de Faby was acting in this manner. He was pre-eminently loyal, and there was no one in the island a stouter defender of the Monarchy. He was neither a Republican nor Revolutionist. There had been no political charge preferred against him. The whole dispute arose out of a purely private quarrel. It was simply a contention about the disposition of certain property, and no one could maintain that such a dispute would endanger the safety of the islands or shake the allegiance of some 30,000 of the most loyal subjects in the United Kingdom. Colonel de Faby was sent to Jersey. His permanent removal would have been absolute ruin, as it would have prevented him conducting his newspaper and carrying on his business. The Home Secretary, however, removed the interdiction upon him after a few weeks, and allowed him to return to the Island of Guernsey, where he now was. These were substantially the facts that he wished to submit to the House. What he contended was, that in the first instance Colonel de Faby had been treated with great severity. Even admitting that he had libelled Mr. Clucas, the punishment was quite out of proportion to the offence. The trial for libel was irregular and informal, and placed Colonel de Faby at great disadvantage. His imprisonment was attended with unnecessary and uncalled-for severity, and the property that had been seized, and would have been sold, if it had not been for the kind intercession of friends—was really not his own. He had lost everything he possessed in France, was ruined both in health and in purse, and the modest establishment he had in Guernsey had been found by his wife's friends. It had not been sold; but at the present time it was in charge of the Sheriff, and if the security was withdrawn the whole of the effects would be at the mercy of the authorities. He thought the case was one for the generous consideration of the Government, and that some restitution should be made to Colonel de Faby. He (Mr. Cowen) had listened to his tale of sorrow and misfortune with very great concern. It was well calculated to excite the commiseration of all humane persons. Colonel de Faby's family had been, and he himself had been ruined by the disasters in France. He was a partizan of the Empire. He (Mr. Cowen) was not a sympathizer with, and had very little respect for the Government of Louis Napoleon; but it was only fair to recollect that he ruled France for the better part of 20 years, that he was the Ally and friend of this country, and there was no more discredit to Colonel de Faby for having been an official of the Emperor Napoleon, than there was in this country having been his Ally. His wife, Mrs. de Faby, was an English lady. Her father was an officer in our Army, four of her brothers had been officers, her brother-in-law was an English General, and another brother was a clergyman of the Church of England. She had a modest but competent fortune, which was lost in the failure of one of the rascally joint-stock banks which scattered such widespread ruin a few years ago. He put their case before hon. Gentlemen, and asked them to consider what they would have said if an English subject living in the Island of Corsica had been treated as harshly and arbitrarily as Colonel de Faby had been in Guernsey? If such had been the case this country would have rung with condemnation of the French Government, whether it had been Imperial, Monarchical, or Republican. He asked them—as they would have sympathized with their own countrymen under such circumstances—to extend the same consideration for this unfortunate Frenchman and his wife in the distressing position in which they had been placed by the illegal exercise of arbitrary power in a portion of the United Kingdom. He hoped the exposure of this case would be a means of moving the Government to take some steps to reform the administration of the Channel Islands. This was only one case. There was constantly occurring cases—not so serious, perhaps, but still very hard cases—where the authorities used their power with great injustice.

MR. ASSHETON CROSS said, he would admit that the hon. Member had done good service, in a Constitutional way, by bringing this case under the notice of the House, and thus strengthening the hands of the Government in their endeavours to reform the laws of the Channel Islands. He was not there either to defend those laws or the practical manner in which they were administered—nor did he wish to make

any imputation against any officers; but he must say the laws were so peculiar and so repugnant to our feelings that nothing would satisfy him better than to be the humble instrument in working some change. There was, however, he was bound to say, a very great practical difficulty in the way. He believed no subjects of the Queen were more loyal or more devoted to the Crown than the inhabitants of the Channel Islands. They possessed enormous privileges, which they thoroughly appreciated, and they were as loyal as they could be. If hon. Members wanted a specimen of Home Rule they had it in the Channel Islands. This question of the state of the law of the Channel Islands was no new matter to either the Government or that House. As far back as 1846 and 1847 a Royal Commission made an inquiry respecting the Channel Islands, especially with regard to the criminal law, and for 30 years their Report had been before the House. The difficulty was that the people themselves did not wish to change their laws, some of which were most extraordinary. For instance, all the jurats were elected by the people. He had a case before him the other day when one of these jurats became bankrupt under circumstances by no means creditable, but quite the reverse. He was asked to interfere and dismiss him, and put some one else in his place; but he found he had not the slightest power to do so. There was a great difficulty in reforming the laws of the Channel Islands, because the people would not attempt to reform them themselves. There was likewise this peculiarity in the Channel Islands. Although we might pass an Act of the Imperial Legislature to govern these Islands, yet until that Act was registered in the Royal Courts in the Islands it had not any effect there at all. It was true that the Secretary of State was invested with certain arbitrary powers, but he would never think of resorting to them. He had, however, done his best to induce the people to have the laws changed, and he was still continuing those endeavours. When there was a vacant position in the Island of Jersey last year he appointed a man on the express understanding that he was to assist him (Mr. Cross) to the best of his power in endeavouring to bring about a reform. Therefore, so far as that part of the case was concerned, the hon. Member might rest assured that it was not one which he could possibly advance at all. He would not lose sight of the subject, because he would very much like to see a reform established. To come to the individual case which the hon. Member had brought forward, he had not a word to say against the manner in which it had been stated; and if he made one or two remarks he trusted the hon. Member would not think he was doing so in order to prejudice this particular case. In discussing this case he thought he was discussing the conduct of the Law Officers and other officers of the Island; and the hon. Member must admit that whatever might have been the provocation in the first instance, the libel at all events was gross. He believed it was true that, although Colonel de Faby had served very gallantly in the Army, yet matters had been brought against him before he left France of a somewhat serious character. When, however, he went to live in Guernsey he (Mr. Cross), had no reason to suppose that he conducted himself in any other way than as an ordinary citizen, except that in the newspapers the libels which he published were very gross. On the part of the Lieutenant Governor he must say that the articles which Colonel de Faby had written in this newspaper since the charge was made against him were such as the hon. Member for Newcastle would be the last to defend. The hon. Member complained of the husband of the party acting as a Judge. He (Mr. Cross) had nothing to say in defence of that. He would not now go into the case of the Attorney General, because it was Colonel de Faby's intention to prosecute him in the Courts of Law, and it would be wrong for the Secretary of State to say anything that would prejudice the trial. As to the summoning of the witnesses, he was informed that the case of libel was one in which the ordinary practice in this respect was not followed. With reference to the place in which Colonel de Faby was imprisoned, he had letters in his possession from the Lieutenant Governor, which he should be happy to show to the hon. Member privately, which showed that every consideration had been paid to him. He ought to have been placed on the criminal side, but he was placed on the civil side and treated as a debtor. He (Mr. Cross)

knew that in the Island a great deal had been said against the Lieutenant Governor; but he did not believe that that official ever had one thought across his mind, except to do what was right. As to the question of deportation, he believed it was perfectly true that the Lieutenant Governor had power to deport persons from the Island. Such a law was recognized by an Order in Council so late as 1846. He was bound to say that, considering the peculiar situation of the Islands, it was a law which it might become very necessary to put into force; but he did not think he should allow it to be put in force, except in very special cases. But in Colonel de Faby's case, he was liable, under the existing law, to have remained in prison for the rest of his life. In the course of the correspondence which passed, the Lieutenant Governor recommended that in default of paying the fine he should be kept in prison for the space of nine months; but on the facts of the case coming before him (Mr. Cross), he thought that, under the circumstances, the man might be liberated at the expiration of six months. He knew perfectly well that there was a great feeling in the Island among his friends, and the Lieutenant Governor suggested that when he came out of prison he should leave the Island. To that he (Mr. Cross) assented; and Colonel de Faby was let out of prison and deported. As soon as the matter came under his notice, he telegraphed to the Governor that deportation was not intended—but he did not know of it until after Colonel de Faby had left the Island. It should be borne in mind that he did not suffer in consequence, as he would not have been permitted to leave after so short a space of imprisonment, unless he had promised to leave the Island. He could not allow any imputation to rest on the Lieutenant Governor with reference to this subject, and he hoped the House would consider that the Lieutenant Governor was not in any way to blame.

MR. WHITBREAD reminded hon. Members of the powers of a journal in a small community like Guernsey, and that the libel, which was very gross, would be read from one end of the Island to the other. He thought it was clear that Colonel de Faby had been allowed great privileges during the time that he spent in prison, the offence with which he was charged being one of a very grave character, inasmuch as he had assailed not only the character of a man, but his relations also. He thought that the Home Secretary had done full justice, but still no more that he deserved, to the Lieutenant Governor, under the trying circumstances in which he was placed.

GENERAL SIR GEORGE BALFOUR said, that the authorities in the Islands claimed to be independent not only of the Privy Council, but of Parliament. No Englishman who went to the Channel Islands could go there without risk of his personal liberty and loss of his property. No Englishman was safe from being put into prison for imaginary claims of debt. No one could rely on the security of property, so complicated were the conditions on which rights in land were held. The real Judges of the Courts of Law were elected, in a form and out of a class, totally opposed to all the arrangements existing in Europe. The reforms were urgently needed, but so great were the difficulties in overcoming the home rule prejudices of the clique interested in the present bad system, that he could only say that he wished the Home Secretary God speed should he make an attempt to carry out the reforms to which reference had been made.

MR. J. COWEN explained that he had said nothing at all reflecting on the conduct of the Lieutenant Governor.

PARLIAMENT—DESPATCH OF PUBLIC BUSINESS—RULES OF DEBATE.

OBSERVATIONS.

MR. GOLDNEY rose to call attention to the present Rules of Debate. The hon. Member said, he had placed on the Paper a Notice of Motion for a Select Committee

> "to consider and report on the best means for facilitating the despatch of Public Business, and, especially, to inquire whether some limit might not be advantageously placed on Motions for Adjournment."

The Rules of the House, however, precluded him from submitting any such Resolution. He observed that the necessity for doing something to facilitate the transaction of Public Business was felt by many hon. Members. Attention had been called to the subject in 1848, 1861,

and again in 1871. It had also been considered by Select Committees, and certain changes had been recommended, but the fear that the rights of private Members might be infringed stood always in the way. Being himself a private Member and one of some years' standing, he ventured to come forward to propose a moderate change, which would not have the effect of placing a minority at the mercy of an overbearing majority. He would, in the first place, point out that the number of hours which they sat was on the increase. During an ordinary Session they sat altogether some 1,400 hours, of which, at least, 150 were after 12 at night. The number of Motions that were recorded on the Order Book exceeded 10,000 in the Session. It seemed to him that some parts of the Rules and Orders were to a certain extent detrimental to the progress of business and to the convenience of the House. First there was the Rule that no Opposed Business should be brought forward after half-past 12. That Rule, which might be a very good one, applied even in cases where the Member who had given Notice of Opposition was not present, and he thought it might with advantage be altered to the extent of requiring that the opposing Member should be in his place when the Order was called. Another matter to which he wished to call attention was the frequency of Motions for reporting Progress or for the Adjournment of the Debate or of the House. For over a century—perhaps a century and a-half—it had been held in that House that it was necessary 40 Members should be present.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. GOLDNEY continued, by saying that so jealous were Members of Business being transacted by an inadequate number, that they allowed any Member to interpose and call attention to the fact that a quorum was not present. The point he desired to have specially considered was that, if it required 40 Members to carry on legislation, it ought to require a majority of 40 to say that it should be stopped, by adjourning the House or the Debate, or by reporting Progress, subject to the exercise of a discretion on the part of the Chair, dependent in part upon the period of the evening at which the Motion was made. Early in the evening he might rule that the Business should proceed; later, that it should stop. In this way the rights of the minority might be fairly protected, and at the same time the Business of the House saved from undue interruption. Evidence had been given before former Committees by distinguished persons, including Speakers of the House, which was well worthy of consideration. After two or three Motions for the Adjournment of the House or of the Debate had been made, it might be rendered competent for any Member to move that the question in debate should be put, and the decision of the House taken. The practice of moving alternately the Adjournment of the House and of the Debate was one of very modern origin. It used at one time to be a Standing Order that, after a Motion for the Adjournment of the House had been negatived, another Motion for Adjournment should not be made until a new Motion had intervened, and it was contemplated that a substantial Motion should have been made; but in 1819, on the East India Bill, when a Motion for the Adjournment of the House had been negatived, Mr. Hume moved the Adjournment of the Debate, and the Motion not being questioned as to correctness, that seemed to have been accepted as a substantial Motion ever since. A rule, indeed, was made by the last Speaker that succeeding Motions for the Adjournment of the House should be made by separate Members and not by the same; but in Committee it was competent for any two Members to move and second the Motion alternately, though they could not do so in the "House" when the Speaker was in the Chair. When a Motion for Adjournment had been made, Members speaking thereupon ought to be confined by the Chair to the subject of Adjournment, and ought not to be allowed to speak on the Main Question. In past time the Speaker exercised more power than now, having since been controlled by precedents and Sessional Orders. These matters had been considered by Committees in 1820, in 1848, and in 1861, and might now fairly be considered again; for, while taking the greatest care not to interfere with the Rules which had grown up in the course of time, their operation ought to be

carefully watched to see that they did not conflict with changihg requirements. Members were now occupied in attending the House for an average of nine hours a-day, in addition to which 250 were sitting on Select Committees and others on Private Bills; and having regard to the pressure of their duties, no duty could be more incumbent on them than to adopt any measures they could to lighten the burden of their labours and to expedite the transaction of the business of the country. These were some of the matters for consideration with a view to amendment, and on their account he hoped the Chancellor of the Exchequer would be able on a future day to assent to the appointment of a Select Committee.

MR. NEWDEGATE rejoiced that this subject was brought forward by his hon. Friend, for it involved a question of some importance. The hon. Member was proceeding, when——

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at Eight o'clock till Monday next.

HOUSE OF LORDS,

Monday, 7th May, 1877.

SOUTH AFRICA—ANNEXATION OF THE TRANSVAAL.—QUESTION.

THE EARL OF KIMBERLEY asked the noble Earl the Secretary for the Colonies, Whether he has any information to communicate to the House as to the reported annexation of the Transvaal Territory by Sir Theophilus Shepstone?

THE EARL OF CARNARVON: My Lords, I am not surprised the noble Earl should have asked for some information on this subject. So far as my official information or any official announcement is concerned, I have no information to give your to Lordships; but I have received a telegram from Sir Bartle Frere at Kimberley, which leaves no doubt whatever that the Transvaal has passed under British protection. The telegram states that news arrived there on the 16th instant to the effect that on the 22nd of March Sir Theophilus Shepstone annexed the Transvaal territory to the British dominions, and that he had abolished the war tax, and that no opposition was expected to the measure. According to the Press telegrams the news had been received with general satisfaction from Kimberley to Victoria. This is not the time to go into explanations; but I may say this—that in consequence of what the Correspondence showed to be occurring I had for some time feared that this event would come to pass. I have repeatedly during the last 12 months given most serious warnings, if you will; encouragement, if you will; and promise of support, if you will—but all in vain. Recently the situation became, I may say, perfectly deplorable. Not only had the Transvaal country lapsed into a chronic state of anarchy in which its Government was incapable of fulfilling the duties of the government of a civilized country, either to its own subjects or its neighbours, but the country itself was split up in factions: the peace patched up with the Native Chiefs turned out to be a delusion, and—what constitutes the greatest danger—the Zulu King, who can command an army of 20,000 or 30,000 Kaffirs, has shown undoubted signs of hostility, and made a movement on the borders. I can only say that in those circumstances the danger seemed to be —and is now, perhaps—very serious for all parties. I am satisfied that it has been owing to the great influence of Sir Theophilus Shepstone that peace has been preserved up to this time. If this news be true—if annexation has been resorted to—I have little doubt it has been as a measure of self-preservation, so far as we are concerned, far more than anything else. It is stated that there has been a Protest from President Burgers; but I have reason to think that it is a Protest of the most formal character, because certainly a very large proportion indeed of the community of Transvaal, and that representing the intelligence, wealth, and respectability of the country, has, for some time past, in presence of those serious dangers, desired the incorporation of their territory with the British dominions. I need hardly say that I am not surprised at what has occurred. I

regret it; but, at the same time, I regard it as inevitable. Your Lordships will not expect me to express any precise opinion as to the grounds on which Sir Theophilus Shepstone has taken the step. This seems to me to be peculiarly a case in which we are bound to withhold an opinion until we have some knowledge of the particular circumstances—which I expect to receive before long. At the same time, it would be unfair to Sir Theophilus Shepstone if for one moment I allowed the impression to go abroad that I thought he was wanting in judgment and discretion in the step he has taken. My impression is that he carried forbearance to the last point, and that it was only the extreme emergency of the situation, and the conviction that the peace and the lives of the whole of the White inhabitants of that part of South Africa were involved induced him to adopt the measures he is reported to have taken. When I receive the details of the measures, I will take the earliest opportunity of laying before Parliament the Papers containing that information.

THE MEDITERRANEAN—SECURITY OF COMMERCE.

MOTION FOR AN ADDRESS.

LORD WAVENEY, in rising to move an Address on the subject of commerce in the Mediterranean, said, that he spoke neither in reference to nor on behalf of either of the belligerents, nor in reference to nor on behalf of either of the political Parties in that House. His desire was to elicit from Her Majesty's Government a statement of the measures they intended to adopt for the protection of our maritime interests in the event of a prolongation of this war. A hope was indulged that the war would be localized. He felt it impossible to join in such an anticipation—it was a war, he thought, the effects of which were likely to be felt from the North Cape to Aden. It was no exaggeration, he thought, to term it a war of unexampled extent, though he trusted it would not be a war of unexampled duration. Was it possible that it could be localized? If not, all the trade of the Levant would be imperilled. It was not impossible that hostilities would be carried into the Mediterranean, and the first cannon shot fired in that sea would let loose all the elements of revolt and disturbance along its shores, and thus seriously disturb the commerce of neutrals, and especially of this country. Pirates in the direction of the Islands of the Levant and along the low-lying coasts of Dalmatia would then find their account in such a state of disturbance, and would issue forth to prey upon commerce indiscriminately, as they had done during the Greek War of Independence. The introduction of steam into the Commercial Marine, by making the vessels which used it more visible at a distance, increased in one way the dangers of piracy. Then there were very grave questions as to blockade and contraband of war—among which coal was now reckoned—respecting which an arrangement among the Maritime Powers might be very desirable. He had heard on good authority that even if Port Said was blockaded a free passage through the Suez Canal with the aid of pilots might be preserved, and he suggested that an international rule might be adopted, in accordance with which a through passage by seaways from one part of the world to another might be left for those not engaged in belligerent operations. He did not desire that the combination which he advocated should be in the nature of an alliance—all he desired was a combination of the Maritime States to preserve the freedom and security of that commerce to which, in a great degree, they were indebted for their existence and their power.

Moved, "That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to invite the co-operation of the Governments of the Maritime States, her allies, in maintaining the security of commerce in the Mediterranean and in the seaways leading thereto."—(*The Lord Waveney.*)

LORD STANLEY OF ALDERLEY pointed out that no instance of piracy had been mentioned by the noble Lord except the one to which he had called attention on a previous evening. He thought the noble Lord ought to have been satisfied with the answer he then received from the noble Earl the Secretary for Foreign Affairs; and that some consideration might be shown to Ministers in regard to putting the same Questions twice over. As the noble Lord did not come from the other side of St. George's Channel, there was no

excuse for calling the Danube a seaway. With regard to piracy, and what the noble Lord called the wandering pirates of the Mediterranean, they did not in reality exist—the case to which the noble Lord called attention on Monday was not piracy, but simple brigandage. The noble Lord had referred to the Greek War of Independence, but at that time there were no steamers, and at the time of the Crimean War there was no piracy to speak of, though the Greek Government then acted in opposition to the French and English allied forces, invaded Thessaly, and let loose all the bad characters from the gaols. The question, also, of the Suez Canal had been the subject of recent consideration by the House, and he could not see what good could be done by again referring to it. At present, in fact, he could see no reason for any of the evils the noble Lord anticipated. He seemed to have caught a nightmare from a recent perusal of *Robinson Crusoe*, in which he had seen more Sallee rovers and Algerine corsairs than ever issued from those ports.

LORD DUNSANY thought it would be very undignified of this country to ask the other Maritime Powers to assist them in doing that which they could do for themselves. A few ships of the British Navy would give a summary account of any pirates who might attempt to prey on British commerce. The noble Lord, moreover, had omitted to indicate who were the Maritime Powers whose aid it was desirable to invoke. They might depend upon it that other countries, if they saw their interest was involved, would soon take means to put down pirates, without waiting for an appeal from us. The events of the Greek War of Independence, 50 years ago, were quite beside the question of the present day. It was inconceivable that piracy should exist in the Mediterranean in the presence of a few fast steamers on its coasts; and co-operation of the kind suggested might be calculated rather to hamper than assist in its suppression.

THE EARL OF DERBY: Your Lordships will probably desire that I should answer the Questions suggested by the Motion of the noble Lord (Lord Waveney), and in doing so perhaps I may be allowed to say a few words by way of comment on the course which the noble Lord has adopted. I do not make it a subject of complaint that the Notice given by the noble Lord is of the most vague and general character; but I do make this observation—that there is absolutely nothing in that Notice which could inform anybody of what are the particular matters affecting the security of commerce to which it was the noble Lord's intention to call attention. I am sure your Lordships will understand me, and will not think I am putting unnecessary difficulties in the way of discussion, if I say that when questions are raised as to what constitutes contraband of war, or as to what particular regulations have been issued by the Turkish authorities with regard to operations on the Danube—when questions of that kind are raised, and answers to them are pressed for, it is not unreasonable that a person in my position should expect to know beforehand what the precise points are to which attention is intended to be directed; because such questions may involve very difficult points of International Law, on which a Minister of the Crown must speak with the appearance of authority; and therefore I cannot think that anyone holding the office which I hold should be called upon to give an opinion which would go forth as the opinion of the British Government, unless he has previously had time for consideration, and for eliciting the advice of those who are specially conversant with those matters. With regard to the other questions raised, I have less difficulty in answering the noble Lord. He first expressed great apprehension that this war would not be localized. He thought it would spread to an unexampled extent. I shall not indulge in any predictions, but I do not think the noble Lord gave any reason for the apprehension he expressed.

LORD WAVENEY wished to explain that what he had said, or intended to say, was that he feared the war would be of wide extent, though he hoped it would not be of unexampled duration. That it was of wide extent he illustrated by saying that its effects might be felt from the North Cape to Aden—and he feared that in its consequences it might spread over the Mediterranean.

THE EARL OF DERBY: I understood the noble Lord to say that it extended or would extend from the North Cape to Aden; but I cannot think that the people at the North Cape or those at Aden can

apprehend that they are in much danger. Again, the noble Lord fears that with the outbreak of this war there will come a repetition of those piratical proceedings which occurred to so large an extent in the war of Greek Independence. I should doubt whether that will be the case, and I will say why. In the first place, the whole condition of things is changed by the introduction of steam—which alone makes an immense difference. The noble Lord then spoke of the difficulty our iron-plated ships would have in passing piratical vessels. Of course our iron-clads were not made for the purpose of chasing pirates. But here I must observe that I do not think that a disadvantage arises to the Mercantile Marine from the use of steam. No sailing vessel will be in the long run a match for a steamer, so far as speed is concerned; and I do not apprehend that pirates will fit out steamers. Again, in the neighbourhood of those islands to which the noble Lord referred the state of society along the coasts is altogether changed from what it was formerly. In fact, the present conditions are entirely different from those which existed at the time of the Greek War of Independence. At all events, as far as matters have gone up to the present time—I can state this as a matter of fact—no single complaint has reached me from people in the Greek waters in reference to any renewed outbreak of piracy there, either actual or expected. The only case that has come to the knowledge of the Foreign Office was the one mentioned a week ago by the noble Lord himself; and the result was not very encouraging to the persons who set up in that line, because the affair ended in the whole of the party being captured. I may notice, too, in passing, that that case was not one of piracy in the usual sense of the word. It was not an attack made on a vessel at sea, but a descent on an unprotected village. We have a certain number of gunboats and other small and fast vessels which are competent for the protection of commerce, and the number can always be increased if necessary. And we are not alone in the world. France, Italy, and Germany have powerful Navies; and I have not the slightest doubt that there would be an entire willingness to co-operate with us, and that in such a case no feeling of international rivalry or jealousy would be allowed to exist. I am not quite sure as to what the noble Lord said about some new arrangement or combination for the protection of commerce. I failed to make out clearly whether the noble Lord suggests that the Maritime Powers should combine to introduce new regulations, or combine together for the more stringent enforcement of the international obligations which now exist. If the latter be the suggestion, then I do not think there is on that point much difference between the noble Lord and myself. If there were anything which we considered an invasion of the rights of Neutral Powers we should undoubtedly, and as a matter of course, communicate with the other Neutral Powers, and we should be ready and willing to concur with them in a common line of action. I am not, however, aware that, under the existing rules of International Law, there is any want of due provision against interference with the interests of commerce. At any rate, it is better, I think, to wait until some real case arises. With regard to the question of the Suez Canal, I am sure the noble Lord will excuse me for saying that it is too grave and too delicate a one to be dealt with in an off-hand manner. I have already stated here, and my right hon. Friend the Chancellor of the Exchequer has stated in "another place," that we are watching that question earnestly and anxiously with the view, should the case arise, of taking such steps as may be necessary for the protection of British commerce. I do not, for my own part, I confess, apprehend the danger and difficulty on that point which many persons seem to think may arise. I am quite sure it is not the wish nor the interest of either of the Powers now belligerents to bring upon itself the hostility of neutral nations by an interference with neutral trade which would be absolutely wanton and unnecessary, and could serve no useful purpose in the operations of war. I think the noble Lord will anticipate the answer I have to give as to his Motion. Indeed, I presume he put that Motion on the Paper rather with the view of introducing a discussion than of pressing it on your Lordships. We are quite ready to ask the co-operation of all the Maritime Powers to extend the security to commerce whenever we see or whenever it is shown that there is a necessity

for such an extension; but I do not think it would be of any use to invite their co-operation unless we had had some specific proposal to bring before them. In any case it is not necessary to address the Crown to direct us to do that which we are perfectly willing to do without any Address such as that proposed by the noble Lord.

LORD WAVENEY begged to express his satisfaction with the answer of the noble Earl generally, but more especially with that part of it having reference to the Suez Canal. He would withdraw his Motion.

Motion (by leave of the House) *withdrawn.*

House adjourned at a quarter past Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 7th May, 1877.

MINUTES.] — PUBLIC BILLS — *Committee* — Customs, Inland Revenue, and Savings Banks [143]—R.P.

Third Reading—Public Libraries Act (Ireland) Amendment * [149], and *passed.*

QUESTIONS.

ELEMENTARY EDUCATION ACT, 1870—SCHOOL BOARD OF SWINDON.

QUESTION.

LORD EDMOND FITZMAURICE asked the Vice President of the Council, If he will explain the reasons which have prevented the Education Department issuing an order for the formation of a School Board for the town of Swindon, in Wiltshire, notwithstanding the expiration, on the 27th September, 1876, of the time mentioned in the final notice of the 27th March, 1876; if it is the case that the Auction Mart, said to have been recently purchased for the purposes of a Church School, was still being used for sales on April 28th, 1877, and can in any case only provide accommodation for 350 children out of the 580 specified in the final notice of the Department; and, if he is aware that the population of Swindon, being now 18,400, and school accommodation existing for only 1,952 children, fresh educational accommodation is required for 1,114 children and not for 580 only?

VISCOUNT SANDON: Sir, the usual procedure of the Department has been followed in the case of the formation of the Swindon School Board. The time limited by the final notice expired on the 8th of October, 1876, and, in conformity with our invariable practice, the matter was referred to the Inspector to report whether the requirements of the Department had been or were in course of being fulfilled. His Report informed us that the accommodation required was in course of being supplied, and that arrangements were being made for acquiring possession of the Auction Mart, which would supply accommodation for 223 children, and that the National School would be enlarged so as to provide for 370 children, thus providing extra accommodation for 593, being in excess of the number required by the final notice. I do not know whether the Auction Mart at Swindon was used for sales in April of this year, but it was certainly bought for the school in 1876. As to the increase in the population of Swindon, we are only able to complete the supply of the country upon the basis of the population when our notices were originally published. As soon as we have completed the general supply of the country upon this basis, which I hope will be shortly the case, we shall then have to make another inquiry, which will, of course, entail the usual notice to the locality demanded by the Act of 1870, and we shall lose no time in seeing that the accommodation for the increased population is provided. I need hardly remind my noble Friend, that if any locality desires to have a a school board, and if a majority of the ratepayers vote for it in legal form, a school board is at once ordered by the Department.

INDIA—TAXATION OF INDIA.

QUESTION.

SIR GEORGE CAMPBELL asked the Under Secretary of State for India, with reference to the new measures of Taxa-

tion introduced in the Legislative Council of Bengal, Whether, in accordance with the instructions of the Secretary of State for India in Council, dated 31st March, 1874, and 11th November, 1875, the intention to introduce those measures was previously communicated to the Secretary of State in Council; if so, whether they have been considered and approved by him?

LORD GEORGE HAMILTON: Sir, information of the intended legislation was sent home to my noble Friend the Secretary of State by telegraph under the clause of the despatch of the 11th November, 1875, referring to urgency. The Secretary of State gave leave for the introduction of the measures, reserving his liberty of expressing any objection at a later stage. At the same time, it is right to say that my noble Friend the present Secretary of State has for some time past recommended to the Viceroy the principle that where irrigation has been provided at large expense by the State for the benefit of any locality or province, the locality or province so benefited should recuperate the State.

MERCHANT SHIPPING ACT (1876)—SEAWORTHY SHIPS—THE "CLYDESDALE."—QUESTION.

MR. GRIEVE asked the President of the Board of Trade, If it is true that the ship "Clydesdale," after being in the hands of tradesmen at Greenock for more than a month, and under the inspection of the two local surveyors to Lloyds Register of Shipping, and repaired to class with them, was frequently visited by the local surveyors of the Board of Trade while being so repaired, and no objection made against the vessel; if it be true that when repairs were nearly completed, cargo taken on board, and the crew shipped, the Board of Trade caused Mr. Price, their chief officer for the Clyde, and three others to survey the "Clydesdale," who reported her unseaworthy; whether he is aware that the owner thereupon demanded a special survey from Lloyds, who appointed Mr. Mumford of Glasgow and Mr. Williamson of Sunderland to join Mr. Boolds and Mr. Couchman (the local surveyors) on the survey, and if he is aware these four surveyors unanimously pronounced the vessel perfectly seaworthy; if it is true that Mr. Turner, the principal surveyor of the Board of Trade, was unable to confirm the decision of his colleagues when the ship was released; and, whether the Board of Trade is prepared to make compensation to the owner of the "Clydesdale?"

SIR CHARLES ADDERLEY: The officers of the Board of Trade, Sir, may not interfere with a ship until she is brought forward for some service at sea. I do not know of any of them visiting the *Clydesdale* while she was under repair in the hands of Lloyd's surveyors. If they did, they would not interfere while such repairs were incomplete. At the proper time the district officer, without any direction from the Board of Trade, exercised his judgment as to her fitness to go safely to sea, as was his duty, and detained her. The owners resorted to the provisions of the 6th section of the Act of last year, and appointed a surveyor out of the statutory list, who with two Board of Trade surveyors, agreed that the ship should be further surveyed. Upon this the owners, instead of appealing to the Court of Survey, asked the Board of Trade to send down one of their principal surveyors, who went down to Glasgow and reported that the ship might be allowed to go to see without serious danger to life, but that the preliminary detention was on reasonable grounds and perfectly justified by the appearance of certain timber heads. The *Clydesdale* was thereupon released, but compensation, of course, has not been applied for.

TURKEY—THE LOAN OF 1854. QUESTION.

MR. J. G. HUBBARD asked the Under Secretary of State for Foreign Affairs, When the Copy of the Joint Representation, made 17th February, 1877, at Constantinople, with reference to the Turkish Loan of 1854, and the Reply made by the Porte, for which papers an Address was moved on the 22nd March, will be presented to the House?

MR. BOURKE, in reply, said, he could assure his right hon. Friend that there would be no unnecessary delay in producing the Papers to which the Question referred.

TURKEY—LOAN OF 1854—THE BONDHOLDERS.—QUESTION.

MR. J. G. HUBBARD asked Mr. Chancellor of the Exchequer, Whether, in fulfilment of their promise last Session to influence the Porte in favour of the bondholders of the 1854 Turkish Loan, the Government will represent at Constantinople the injustice of the Turkish Ambassador in London withholding from the Bank of England the formal instruction to pay to the bondholders the money belonging to them now in the Bank, and under no possible circumstances available for any other purpose?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, the House was aware from the Answers given to former Questions that the matter referred to had been brought under the notice of the Porte, and that joint representations had been made on the subject by the Governments of England and France. He might add that the Government proposed to take advantage of the opportunity afforded by the return of the British Ambassador to Constantinople to press the matter again upon the attention of the Porte, and to make remonstrances in its own interests as well as in the interests of the bondholders.

SOUTH AFRICAN COLONIES—ANNEXATION OF THE TRANSVAAL.

QUESTION.

MR. KNATCHBULL-HUGESSEN said, he wished to ask a Question of the Under Secretary of State for the Colonies, of which he had not been able to give him Notice:—Whether he could give the House any information as to the truth of the report contained in the newspapers that morning of the annexation of the Transvaal Republic?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the Under Secretary of State for the Colonies does not appear to be in his place; but I can state that no official announcement of the annexation of the Transvaal has been recived, but I am informed by Lord Carnarvon that he has no reason to doubt that Sir Theophilus Shepstone, having exhausted every means of arriving at a settlement of the difficulties with which he had to contend, has been compelled to adopt the measure in question.

PARLIAMENT—BUSINESS OF THE HOUSE—APPOINTMENT OF A SELECT COMMITTEE.—QUESTION.

MR. NEWDEGATE said, he had a Notice on the Paper on the subject of the Business of the House, and he would venture to ask the Chancellor of the Exchequer, Whether it was the intention of the Government to move for a Select Committee to consider the subject of the Public Business of the House?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that in consequence of the House being counted out on Friday night he had an opportunity of giving an explanation on this subject. He had now to state that Her Majesty's Government were not of opinion the time had come for the appointment of a Select Committee on Public Business.

THE EASTERN QUESTION — RESOLUTIONS (MR. GLADSTONE).

POSTPONEMENT OF ORDERS OF THE DAY.

MR. TREVELYAN: I beg to ask the right hon. Gentleman the Member for Greenwich a Question of which I have given him private Notice. It is a Question the reply to which many other hon. Members besides myself await with very deep interest. I would ask the right hon. Gentleman, Whether, in the place of his second Resolution, he will substitute words which would make it read as follows:—

"That this House is of opinion that the Porte, by its conduct towards its subject populations, and by its refusal to give guarantees for their better government, has forfeited all claim to receive either the material or the moral support of the British Crown;"

and, whether he will abstain from moving his third and fourth Resolutions?

MR. GLADSTONE: Mr. Speaker, in answer to the Question of my hon. Friend, I need not say that I stand here, as I stood last week, responsible for the whole of these five Resolutions; and, indeed, I do not think it is within my competence myself to move, or rather to adopt, any change in them before moving them, in consideration of the understanding that prevails between Members

of this House and the principles upon which Notices are given—unless it were a merely verbal change, which this can hardly be called. Nevertheless, I quite accede to the substance of both the propositions of my hon. Friend. I will read the words of the second Resolution to the House as he has proposed it, because, only having heard them once, it is possible that the House may not gather their full effect. He proposes that the second Resolution, which in its original form is before all the Members of the House, should run as follows:—

"That this House is of opinion that the Porte by its conduct towards its subject populations, and by its refusal to give guarantees for their better government, has forfeited all claim to receive either the material or the moral support of the British Crown."

Sir, that Resolution is entirely satisfactory to me, though it is not exactly the form of words I proposed; and though, as I have said, I do not feel warranted in making a change and asking the House at once to consider that change, if it be the pleasure of my hon. Friend to move that change I should readily accede to it, and be prepared to support it. With regard, Sir, to the remaining Resolutions, I may say as respects the Amendment of my hon. Friend opposite the hon. and learned Member for Marylebone (Mr. Forsyth), to substitute the word "obtaining" for "exacting," I have no objection to that Amendment whatever. I presume the mode of proceeding would be this—I shall move the first Resolution, upon which I suppose there will be a division. I shall then move the second Resolution, in order that my hon. and learned Friend may have an opportunity, if he thinks fit, of moving to substitute the word which he has proposed; and if out of that Amendment of his a division should grow, I, of course, should be very ready that that division should take place. With regard to the other Resolutions, I shall not think it necessary to trouble the House by asking you, Mr. Speaker, to put them from the Chair.

THE MARQUESS OF HARTINGTON: Sir, I am aware that there is no Question before the House, and that I have no right to address the House, but perhaps I may be allowed to say one word. It appears to me, Sir, that the Resolutions as proposed to be amended by my right hon. Friend are such as will meet with very general support—at all events from this side of the House; and with that conviction I wish to appeal to my hon. Friend the Member for Maidstone (Sir John Lubbock) not to take the course of which he has given Notice, of moving the Previous Question.

SIR JOHN LUBBOCK: After the important announcement which has just been made by the right hon. Gentleman the Member for Greenwich, the state of the case is entirely altered. The Resolutions as they will now stand I can cordially support, and therefore I shall not move the Previous Question.

THE CHANCELLOR OF THE EXCHEQUER: I am not quite sure, Sir, that I heard correctly what fell from the hon. Baronet the Member for Maidstone (Sir John Lubbock), and I am still less sure whether I understood correctly what fell from the right hon. Gentleman the Member for Greenwich, but as it appears to me the House is getting into a very ridiculous position. Sir, it will be in the recollection of the House that about 10 days ago the hon. Member for East Cumberland (Mr. C. W. Howard) with some solemnity informed the House that in the unfortunate absence of the right hon. Member for Greenwich he desired to give Notice, on the part of that right hon. Gentleman, that he would, on the 1st of May, bring forward certain Resolutions "with regard to the Eastern Question and the prospective policy of the Government." Well, we had that Notice given; and my hon. Friend the Member for Christchurch (Sir H. Drummond Wolff), with a sort of prescient intuition that it was likely there would be something rather curious in this Motion, gave Notice at once that he should be prepared to move the Previous Question. Then, on the following Monday, the right hon. Gentleman the Member for Greenwich came down to the House, and gave Notice in the usual manner of the Resolutions which he was about to propose; and I remember quite well that he stated at the time he gave that Notice that he was anxious to put them in such a form as would give the House an opportunity of meeting them with any Amendment. [Mr. GLADSTONE: I said, I would move them separately.] Yes; or separately — separately with any Amendments. Well, hardly had that Notice been given when the hon. Baronet the Member for Maidstone got up and gave

Notice that he, on his part, would move the Previous Question. Well, Sir, the question then arose—could any Amendment be moved upon those Resolutions? It is no breach of confidence to say that my hon. Friend the Member for Christchurch was anxious to alter the Notice which he had announced to the House, and to move an Amendment upon the first of these Resolutions. But he was informed that in consequence of the step that had been taken by the hon. Member for Maidstone he was precluded from doing so; and that even though the House might not support the hon. Member for Maidstone on the "Previous Question," it was absolutely impossible for my hon. Friend the Member for Christchurch or any one else to move any Amendments at all upon the first of these Resolutions. Well, Sir, we on this side of the House have been called the "stupid Party;" and I freely admit that our wits are not so keen as the wits of hon. Gentlemen opposite, especially as the wit of the hon. Member for the Border Burghs (Mr. Trevelyan), for he has discovered a way of turning this difficulty by putting the Question whether certain Amendments would or would not be accepted. Having got the information that these Amendments would be accepted, then my hon. Friend the Member for Maidstone is perfectly satisfied, and getting up, accepts the altered state of circumstances, and withdraws his Notice. Sir, I think this is really a very peculiar, and, I am bound to say, a rather undignified position for the House to be placed in, because this is a matter that has been before the country for more than a week; and my noble Friend the Postmaster General tells me that the telegraph revenue has been sensibly swelled by telegrams being sent to all parts of the country to support these important Resolutions. Meetings have also been held for the same purpose, and we were told that the hon. Member for Dundee (Mr. E. Jenkins) was contemplating a new edition of his pamphlet which was to blow up the unnatural coalition on the other side of the House; in fact, that he was about to re-establish the mountain, and that the mountain was to bring forth something to-day. But, Sir, I confess that although we shall find ourselves in a position of some little difficulty in proceeding to discuss the very different Resolutions which are now to be submitted to us, still I think that perhaps of two absurdities we had better choose the lesser. Only this, I would venture to suggest to my hon. Friend the Member for Christchurch, as the noble Lord opposite has given his advice to the hon. Member for Maidstone that he should keep himself in reserve, so my hon. Friend should not pledge himself, till he sees whether at the end of the speech which we are all expecting to listen to to-night, my right hon. Friend the Member for Greenwich does really move this Resolution after all. We are so unused to what has passed that I feel that almost anything may happen, therefore I ought to make some such request as that—I beg to move that the Orders of the Day be postponed until after we have considered the Resolutions with regard to the Eastern Question.

Motion made, and Question proposed,

"That the Orders of the Day be postponed until after the Notice of Motion relating to the Eastern Question."—(*Mr. Chancellor of the Exchequer.*)

Several hon. Members rose to address the House, proposing to raise a question of Order: but Mr. SPEAKER calling on Mr. Gladstone to proceed—

MR. GLADSTONE said: I hope, Sir, I am not trespassing unduly upon the patient indulgence of the House in seeking to say a few words upon this Motion, inasmuch as the right hon. Gentleman the Chancellor of the Exchequer, in the course of his speech, has made a very direct appeal to me, and has thought himself justified in insinuating a doubt whether I am about to move any of these Resolutions at all. I am aware of no ground that the right hon. Gentleman has for insinuating such a doubt, because I have already told the House that I am as much responsible at the present moment for the whole of these Resolutions as I was on Monday last. But with regard to the question how many of these Resolutions are to be put from the Chair, I think it is the usage of this House, known to all who hear me, and who are practised in the Business of this House, in the case of a string of Resolutions being moved, that it is a matter entirely within the discretion of the person moving them how many of them shall be put from the Chair—provided

that he obtains from the House a judgment which, by fair implication, involves the judgment of the House on the whole of his propositions. The principle upon which I have proceeded in this case has been to put forward, in the first place, a Resolution to which, in my opinion, it will be most difficult for all candid and reasonable men to object, and I own that I was sanguine enough to believe that it might be possible to induce Her Majesty's Government to consider that Resolution. Having done so, I might have felt it to be my duty to propose the Resolutions which followed; but, at any rate, I am within my right in declining to put myself to the disadvantage of pledging myself to proceed to a succession of divisions on each of these Resolutions—possibly with diminishing numbers in each successive division. Therefore, I tell the right hon. Gentleman the Chancellor of the Exchequer that he has no moral right, and is entirely going beyond the bare courtesies of debate and of this House, in stating that he would wait until the close of the speech in order to ascertain whether any Resolution was moved at all, and when he calls upon me to state whether I do or do not intend to move the whole of these Resolutions. ["No, no!"] The noble Lord the Postmaster General takes exception to that statement. [Lord JOHN MANNERS: I said nothing of the kind.] Well, then, some equally good Conservative behind the noble Lord must have done so, and I beg the noble Lord's pardon for referring to him in that manner. The insinuation of the right hon. Gentleman the Chancellor of the Exchequer is, however, in direct contradiction to my statement that I was about to move the first Resolution, and that I should follow it by moving the second Resolution. The right hon. Gentleman got up and said he should wait until the end of my speech, in order to see whether I moved the Resolutions before he would advise the hon. Gentleman the Member for Christchurch what course he should take with regard to his Amendment. I am bound to say that that is not the treatment which hon. Members of this House are entitled to receive at the hands of the right hon. Gentleman. But the right hon. Gentleman said a good deal more than that; and in addressing myself to this point, I must assume a tone, I am afraid, of retaliation. The right hon. Gentleman says that the House is placed in an undignified position; he says that it is placed in an unusual position, and I even think he said it was placed in a ridiculous position. The last expression is rather strong, but I am not disposed to deny that the position of the House is unusual, or to assert that its position is altogether dignified. But, Sir, I ask if such is the case, to whom is that unusual and that undignified position of the House due? The question which I ask is, who is it that on this important matter has departed from the usage of the House; —who is it that upon the part of the Government which is challenged in its policy, for the first time, I believe in the history of this House, has condescended to meet a Motion of this kind by proposing to put aside a discussion upon it by means of a stifling Amendment? It is the right hon. Gentleman the Chancellor of the Exchequer. From the right hon. Gentleman's side of the House proceeded the first proposal to meet my Resolutions by moving the Previous Question, and when the right hon. Gentleman was appealed to by me, he said that he had no intention of asking the hon. Gentleman who had given Notice of his intention to move the Previous Question to withdraw that Notice. I do not say that the right hon. Gentleman himself proposed to move the Previous Question; but I do say that he was perfectly willing to avail himself of its friendly shelter. If the right hon. Gentleman the Secretary for War is about to speak, or if the right hon. Gentleman the Chancellor of the Exchequer, or any other Member of the Government is about to speak, I request them to tell me of any case in which a Government, challenged upon their policy in this House, have been either moved or have availed themselves of the shelter of the Previous Question. Why, Sir, we have the greatest right in the world to expect that we should be allowed an opportunity of perfectly free discussion on this subject. I speak of the great and vital matters of policy of Governments, and I want to know whether it is in the usage of the House for a Government so challenged to seek, or to employ the shelter of the Previous Question. Why, Sir, we had the strongest reason to suppose that we shall be allowed a perfectly free discus-

sion, for again and again the chivalry of hon. Gentlemen opposite was indignant at not being allowed this opportunity of debate on this subject. Why, did not the hon. and gallant—I mean the politically gallant — Member for Mid-Lincolnshire (Mr. Chaplin), on an early night of the Session, directly challenge me to bring forward this question. The hon. Member could not endure that the policy of the Government should not be brought under discussion in this House, and he challenged me to bring it under its notice. I never complained. The right hon. Gentleman will do me the justice to say that I never complained of the hon. Member giving me that challenge. On the contrary, I said that he was within his free Parliamentary liberty in doing so; but I said that I should take the liberty of choosing my own time and mode in accepting that challenge. But that is not all. The hon. Member for Mid-Lincolnshire spoke only once on the subject, but the right hon. Gentleman the Chancellor of the Exchequer has been at it every night. Not an evening has passed on which the Eastern Question has been discussed that the right hon. Gentleman has not challenged us to question his policy. Really after what has been said to-night I must refer to some of the words he has used on former occasions. On the 16th of February, after the hon. Member for Mid-Lincolnshire had referred to this subject, the right hon. Gentleman said the House had as much right to be taken into my confidence——

MR. ROEBUCK: I rise to Order, Sir. The right hon. Gentleman cannot properly refer to speeches which have been made in this House during the present Session.

MR. SPEAKER: No doubt it is against the Rules of the House to refer to what has been said by an hon. Member in a former debate during the same Session. I may, moreover, remind the House that the question immediately before it is the postponement of the Orders of the Day, and I am bound to say that some of the observations of the right hon. Gentleman are more relevant to the subject-matter of his Resolutions than to the Question immediately before the House.

MR. GLADSTONE: I shall entirely submit myself, Sir, to what you have said; but the right hon Gentleman the Chancellor of the Exchequer had expressed doubts as to my intentions which I thought were justified by none of the circumstances, and had by implication complained, as I thought, of myself, but, certainly, of some on this side of the House, of having placed the House in an undignified position. I was therefore, as I thought, under the compulsion to point out whence it was the doubts and difficulties have arisen — namely, as I thought, from the course which had been adopted by Her Majesty's Government. However, I will not prosecute the subject, but I will say as much as I feel it necessary to say upon it when we come to a discussion on the Motion.

MR. BENTINCK: I rise, Sir, for the purpose of expressing the hope that the Chancellor of the Exchequer will not persevere with his Motion for postponing the Orders of the Day. I express that hope for two reasons. In the first place, a new issue has been raised, and I think hon. Members of the House are fairly entitled to ask that they should have time to consider the position in which they now find themselves before proceeding to a debate. No doubt the Government had Notice some hours ago of what was likely to take place; but the news has just burst upon the House, and we should have an opportunity of considering the question as it now stands. While I say that, I must frankly own for myself that the Resolutions of the right hon. Gentleman as we have them at present before us do not appear to me to show that any necessity whatever exists for postponing the Orders of the Day. So far as I am able to gather their purport, they do not amount to really anything. What he now proposes is nothing but a *reductio ad absurdum* of his previous proposition. But I have a second reason for the wish I have expressed, and that is, that we should remember the period of the Session at which we have arrived, the pressure of Public Business which exists, and the various matters of importance which we have to consider. I maintain that, under present circumstances, there is no ground whatever for postponing the Orders of the Day.

MR. GREENE: I cordially second what has just been said by the hon. Member for West Norfolk. If I were to state that the proposed treatment of

which we have heard to-night of a grave and serious question was "un-English," I might, perhaps, be making use of an un-Parliamentary expression; but I must say that when the country is balancing, between war and no war, a subject of such importance as this should not be dealt with in the way in which some hon. Members opposite seem to desire. I think the right hon. Gentleman (Mr. Gladstone) has had a sufficient expression of opinion, not only from his own side of the House, but from the country generally, to show him that it would have been better if he had altogether withdrawn his Resolutions. When he found that he could not be followed into the Lobby by a great many of his Liberal Friends—Gentlemen upon whom in the past he has been accustomed to depend, and whom we all respect—he ought, I think, to have taken a different course from that which he has now followed. As it is, he has adopted one of the most extraordinary steps ever taken in this House. I have been a good many years in Parliament; and I cannot remember a case of a Member in the position of the right hon. Gentleman coming down here and asking us—after we had been invited to consider certain Resolutions, after the country at large had been invited to consider them, and after meetings had been held over the land in their support—to take up those Resolutions all at once, in a very emasculated and attenuated form. I shall oppose the suspension of the Orders of the Day, and I think the country will agree with the view I take of the situation—namely, that this is not the kind of treatment to which this House should be subjected.

MR. CHAPLIN: I entirely concur with the last speaker, and the hon. Member for West Norfolk, in the wish that the Chancellor of the Exchequer should not persevere with his Motion. The right hon. Gentleman (Mr. Gladstone) has said that on a previous occasion I challenged him to bring forward a Vote of Want of Confidence in the Government. I did so. It was due to the Government, whom he had so fiercely assailed, that he should do so—and it was of even still greater importance in my idea if there was difference of opinion among us with regard to the policy of Her Majesty's Government—that Europe and that the world should know what the opinion of Parliament, with regard to this question, in reality was. But what is our position to-night? The whole state of affairs has changed. Ten days ago the right hon. Gentleman, through one of his Friends, gave Notice of Resolutions which created sensational excitement, not only in England, but throughout the world. To-night the Galleries are filled. The House is crowded. I, myself, were it not for the charity of my Friends, should be sitting on the steps of the Gangway. But now the right hon. Gentleman comes forward and withdraws two of his Resolutions and attacks the Chancellor of the Exchequer because the right hon. Baronet refuses, as he says, to meet him with a Vote of Confidence. Sir, I sincerely trust that the House will not consent to be treated in this manner. I trust we shall not consent to postpone the Orders of the Day in order to consider effete Resolutions. I hope that for the sake alike of the dignity of the House and the dignity of the country we shall mark to-night in a most emphatic and unmistakeable manner our sense of what I can only characterize as this childish vacillation of purpose.

MR. GATHORNE HARDY: I hope my hon. Friends who have spoken within the last few minutes will not, after all, resist the Motion for the postponement of the Orders of the Day. Whatever the right hon. Gentleman opposite (Mr. Gladstone) has to say against the Government, let him say it, and let us have done with it. The right hon. Gentleman gave Notice of certain Resolutions—what their exact meaning might be we might find out, I suppose, in the course of discussion; but, by some inscrutable process, our opponents have agreed upon the course to be adopted this evening, and those Resolutions have now been so dealt with that the opposition of the hon. Member for Maidstone (Sir John Lubbock) has been withdrawn, and the noble Lord (the Marquess of Hartington) will bring, I presume, his now united forces in support of a portion of that which a few nights ago only commanded support of a scattered remnant of his Party. Hon. Members have not allowed us to witness the preliminary proceedings which have led to this result; but we are acquainted with them, although we were not present at the rehearsal of what we have seen enacted

here this evening. We have had a tragedy in this House more than once, and the right hon. Gentleman opposite has been the embodiment of it. We have this evening had a farce, and a farce so ridiculous and absurd that those engaged in it could hardly keep their countenances. Why, the hon. Member for Maidstone, as he withdrew the Amendment which he was about to present to the House, could not for the moment cease from laughing, and he had not the gravity of the augur when he looked into the faces of hon. Members. But we are not afraid to meet our opponents on whatever ground they may take their stand. The right hon. Gentleman has said we are afraid of meeting him—that we are afraid of a Vote of Censure; but when I looked through these Resolutions I could not see what it was he wanted to accuse us of. We were informed that he aimed at indicating what should be the prospective policy of the country; but I have not been able to find from the Resolutions what that policy should be. The right hon. Gentleman has told us that two of the Resolutions are of such a character that the Government may accept them; and yet these are the very Resolutions on which he asks you to condemn us. He has withdrawn the others. Does he mean to call attention to those Resolutions which he is not going to press? Is he going to press an indictment on which he is not going to take a decision? Is he going to press those Resolutions which he thinks so milk-and-watery? —["Order, order!"]

MR. SPEAKER: I must again interpose. I hardly think the observations of the right hon. Gentleman relevant to the Question before the House.

MR. GATHORNE HARDY: I bow at once, Sir, to your decision. When the question arose as to postponing the Orders of the Day I thought it desirable and important to show why the Government should be anxious that the debate should proceed; but, as I have said, I at once bow to the opinion which you have just indicated.

MR. PERCY WYNDHAM: I also think that the Orders of the Day should not be postponed. Resolutions about which meetings have been held throughout the country are now brought before us in an attenuated form; and I think that not only the Government, but the House and the nation have a right to longer notice of the extraordinary change which has been made in those Resolutions this evening than we have received.

MR. COURTNEY: I am sorry to interpose; but I cannot help rising to express my concurrence in the views of those who think the Orders should not be postponed. I think that as matters now stand we should all ask ourselves, are we in such a position that it is desirable, not in the interests of the House only, but in the interests of the country, that we should now proceed to discuss the Resolutions which we are asked to debate. Is it worth while to set aside the regular Business of the evening for the purpose of considering these two Resolutions alone? It is almost impossible to consider them without discussing those that are to be withdrawn; and as for those that remain, it appears to me that the first Resolution is one of which Her Majesty's Government must approve; and as to the second, it does not seem to me to involve anything on which we are not agreed. In fact, they express precisely the opinion of the Foreign Secretary. More than that, Sir, by proceeding in this way the House may be understood as giving its opinion on the third and fourth Resolutions. I can quite understand the feelings of the Secretary for War in desiring that the question should be discussed and decided at once, and that anything from a Party point of view would be better for his purpose than a postponement. But if we are to rise above Party, if we are to consider the whole country, and I may say the whole of Europe—for all the Governments of Europe are awaiting the opinion of this House as to the policy which it is right to pursue—is it desirable or expedient that a Party vote should be taken under the present circumstances, which would not fully convey to the world what that opinion really is? I was surprised that the hon. Member for Maidstone so easily withdrew his Notice, as under present circumstances it seems to me that the Previous Question is the most wise thing that could be put. When we consider that the whole country has been agitated about these Resolutions, I do think it will be in the highest degree impolitic to discuss not the whole four Resolutions, but the first two, which mean nothing.

COLONEL LOYD LINDSAY: Sir, I have a suggestion to make, and it is this—that the right hon. Member for Greenwich should propose his first Resolution, and that the Government should support it. As the sting has been taken out of the Resolutions, which during the past week have been agitating the country, it seems to me that this method could be adopted without the slightest danger or difficulty. In doing so we should only accept that with which we can cordially agree.

MR. CHAMBERLAIN: I, Sir, also should agree with the suggestion made by the hon. Member for West Norfolk (Mr. Bentinck), if I were sure that the issue raised by the Resolutions this afternoon has been materially changed by the statement the right hon. Gentleman the Member for Greenwich has made, and I wish to put a question on the subject. Certainly the right hon. Gentleman himself could not have conceived that the statement which he made in the earlier part of the evening has materially altered the issue before the House. The issue has not been altered by his willingness to accept the Amendment suggested by the hon. Member for the Border Burghs, for that Amendment only strengthens the second, and very slightly, perhaps, weakens a single expression in the third Resolution. The important change, if change there be, lies in the statement of the right hon. Gentleman that he would not trouble the House by inviting its decision on the third and fourth Resolutions. The question which, if I were in Order, I should like to put to the right hon. Gentleman is, whether, in view of the discussion which has now taken place, he would not submit the third and fourth, as well as the first and second Resolutions, to the House? I did not understand that the right hon. Gentleman personally held any objection to the submission of these two Resolutions. I understood that he still maintains them as he did when he first put them on the Paper, and that he was only actuated—these were his own words—by a desire to save the trouble of the House. But, Sir, considering that these Resolutions in their entirety have now been for some time before the House; that they have also been the subject of discussion in the country, and that the country has pronounced an opinion upon them, though a very different opinion from that which the hon. Member for Bury St. Edmund's (Mr. Greene) imagines, I do think it is desirable that all the Resolutions should now be submitted to the judgment of the House.

MR. E. JENKINS: I rise in support of the appeal of my hon. Friend behind me (Mr. Chamberlain) in regard to these Resolutions. Those who have spoken from the Front bench I think have spoken with great justice of the farcical nature of the scene enacted this evening. I cannot but feel that it would be a most undignified proceeding if, after the whole country and the whole of Europe has been invited to observe the Resolutions which the right hon. Gentleman brings forward, they should now be so completely emasculated as has been proposed. Therefore I hope, in fair justice and in honest Party warfare, that the right hon. Gentleman will consent to go on with these two latter Resolutions, and submit them to the opinion of the House. If he only proposes the first two Resolutions, as he has mentioned, I certainly, if the House goes to a division, shall be prepared to vote against postponing the Orders of the Day in order to discuss two simple matters of theory.

SIR GEORGE BOWYER: It has been said that the Resolutions in their emasculated state do not amount to a challenge of the conduct and policy of the Government, and are such as they may accept them. The Resolutions have also been designated as "milk-and-watery" Resolutions, and what I want to know is, why we should be asked to postpone the Orders of the Day in order to discuss Resolutions of that character? The best solution of the difficulty in which we are placed will be to refuse to postpone them, and I certainly shall not vote for the Motion.

MR. GLADSTONE said, that as he was not now entitled to answer the questions which had been put to him in that discussion, he would refer to them when he had the power of bringing forward his Motion.

THE MARQUESS OF HARTINGTON: Sir, the question before the House appears to me to be one which ought to be decided entirely on the ground of the convenience of the great majority of the House. Hon. Members who have urged that the Orders of the Day should not be postponed, undoubtedly, if they think

fit, have a perfect right to make that request, because the issue submitted by my right hon. Friend has been, whether materially or not, altered to a certain extent—I will not discuss to what extent—and the House has, if it thinks fit, an undoubted right to require sufficient Notice of the terms of that alteration. On the other hand, I must say it appears to me that the great majority of the House are perfectly willing that the discussion should proceed at once; and as that seems also to be the wish of the Government, I am unable to see why difficulties should be interposed in the way of the immediate commencement of the debate. I wish, however, before it begins, that there should be no misunderstanding as far as I am concerned as to the advice which I have given to my hon. Friend the Member for Maidstone (Sir John Lubbock), and the position which I myself occupy. It is perfectly true that—as I think has been already pointed out—upon some occasions, when a series of Resolutions are proposed for consideration, the decision of the House is challenged on the whole series by a division on the first Resolution. But, on the other hand, I believe it is perfectly possible for the House to enter on the discussion of a series of Resolutions on the understanding that they will be submitted one by one, and that the opinion of the House will be challenged upon each. Now, Sir, the advice which I gave to the hon. Baronet the Member for Maidstone, and which he accepted, was distinctly based on the understanding that the first Resolution would be moved, that the second also would be moved with the Amendment which has been suggested and accepted by my right hon. Friend, but that the decision of the House would not be challenged on the third and fourth Resolutions.

THE CHANCELLOR OF THE EXCHEQUER: I quite agree with the noble Lord that in this matter regard ought to be had to the convenience of the House; but I would venture to add that there are other considerations which ought not to be left out of sight. Regard ought also to be had to the effect which will be produced, not only in this country, but even in foreign countries, if, after all the preparations which have been made for the discussion coming on this evening, those preparations are suddenly laid aside for reasons which I think would be hardly intelligible in England, and which would be utterly unintelligible abroad. I do not myself think there need be any difficulty in our proceeding with the discussion in consequence of the change which the right hon. Gentleman has made in his Resolutions. Undoubtedly, the change as described by the noble Lord is a change of the most material character—that is to say, if we are only to be asked to affirm the first and second Relutions, and not to be invited to express an opinion on what is really the substantive and operative part of the Resolutions—namely, that referring to the future policy of the country. That, no doubt, is a material change in the position. It has been said that by accepting the first of these Resolutions we should be accepting, by implication, the whole of them. ["No, no!"] The right hon. Gentleman himself made use of an expression—I am not quite sure what he intended by it—as to the acceptance by implication of the substance of the whole.

MR. GLADSTONE: No, no; I had not the slightest intention of implying that the judgment of the House on the first Resolution had anything to do with its judgment on the other Resolutions. All I said was this—that by implication or inference, I could judge, perhaps, for myself by the judgment on the first what the judgment would be on the others.

THE CHANCELLOR OF THE EXCHEQUER: I hope, at all events, the House understands all these explanations. I wish to make a suggestion to my hon. Friend the Member for Christchurch (Sir H. Drummond Wolff), which I think may, to some extent, clear up our position. We have been rather taunted by my right hon. Friend for sheltering ourselves behind the Previous Question when challenged on our policy—the challenge consisting in a Resolution which he thinks we ought to accept—rather an odd sort challenge, I think. But now we are left in greater difficulty, because we are told that if we discuss and pass the first Resolution by itself the effect or consequence will be to influence the judgment of a great many besides my right hon. Friend himself as to whether this House would agree to the operative part of the Resolutions; whilst

the first Resolution would be supported by the noble Lord opposite and others who would not support the operative part of the Resolutions. If I may venture to use such a simile, it seems as if my right hon. Friend had taken a lesson from a certain picture in the Royal Academy ("The Finishing Touch"), in which a lady who is having her hair powdered keeps her whole body behind a curtain in order that no harm may come to her dress. The right hon. Gentleman appears to me to have taken some such precaution as that, in order that no harm may occur to the great body of the policy which is indicated in these Resolutions. But the suggestion which I would make to the hon. Member for Christchurch is, that he should do that which he was always anxious to do after the Notice of these Resolutions had been given, but which he was prevented from doing by the Notice of the hon. Member for Maidstone—namely, that instead of moving the Previous Question, he should meet the Motion of the right hon. Gentleman with an Amendment—something of this character — "That this House declines to pass any Resolution which may embarrass the policy of Her Majesty's Government, if that Resolution be not accompanied by any indication of an alternative policy." I have no doubt that if my hon. Friend who has been defeated by the tactics on the other side were to move such a Resolution, it would lead us to a clear issue upon the question. I hope that hon. Members on this side of the House will not object to the postponement of the Orders. I can assure them that I speak not in any Party sense, or in any Party interest, when I say that I believe it would be a great detriment to the public interest if, after all, this matter were not to be discussed.

SIR WILLIAM HARCOURT said, what the right hon. Gentleman had suggested was precisely the offer which had been made to him the other night. The offer made to the Government was that the hon. Baronet the Member for Maidstone (Sir John Lubbock) would withdraw his Motion if the Government would propose a Vote of Confidence in themselves. ["Oh, oh!"] Perhaps that was an inaccurate expression, and he would substitute—if they would rehearse one of those scenes with the hon. Member for Christchurch which the Chancellor of the Exchequer had so well described. They had offered the Government that dress rehearsal the other night. A distinct offer had been made to the Government by the hon. Member for Christchurch, and the hon. Member for Maidstone that day would withdraw the Previous Question if the Government would submit a direct vote on their own policy. He did not think, therefore, the right hon. Gentleman the Chancellor of the Exchequer had quite accurately described the position of the hon. Member for Maidstone in saying that he had stood in their way.

MR. ASSHETON CROSS: That is all very well, but the hon. and learned Gentleman has entirely forgotten the circumstances of the case. The hon. Member for Maidstone had the "Previous Question" on the Paper as well as the hon. Member for Christchurch, and it was impossible for the hon. Member for Christchurch to assume the first place, unless he knew that the hon. Member for Maidstone agreed to withdraw his Notice. [SIR WILLIAM HARCOURT: He offered to do so.] Yes, that is just the point—he offered it, but when? When the noble Lord the Member for Haddingtonshire (Lord Elcho) had put an Amendment upon the Paper which the noble Lord and his Friends wished the Government to accept.

MR. OSBORNE MORGAN: It seems to me that we shall be spending the whole night in debating whether we have anything to debate. We on this side are exceedingly anxious that a discussion should take place; and I think that the suggestion of the right hon. Gentleman the Chancellor of the Exchequer is a very good one—that the hon. Member for Christchurch should withdraw the Previous Question, and allow us to get an intelligible issue.

MR. FAWCETT: I am not going to make any remarks on the general question; but I wish to ask a question of the right hon. Gentleman the Member for Greenwich and the hon. Member for Maidstone—because I am bound to confess that to us sitting here it seems that we are getting into a greater and greater haze as to the position in which we are now placed. I do not know whether that position is clear to right hon. Gentlemen sitting on the Front benches opposite, but it certainly is not to us. I may fairly ask the right hon. Gentleman

the Member for Greenwich to tell us whether, he intends to move in some modified form the third and fourth Resolutions; and I think we have also a right to ask the hon. Member for Maidstone whether, if these Resolutions should be put, he will then revert to the Previous Question? The person to decide whether the Resolutions should be put or not is the right hon. Gentleman the Member for Greenwich; and I am sure it would give much satisfaction to many who intend to support him—as I do—if he would say if he intends to move the third and fourth Resolutions; and if he does, then will the hon. Baronet tell us whether the understanding between himself and the noble Lord the Leader of the Opposition holds good? If these two questions are answered, it seems to me that we shall be in a position to begin the debate at once with a clear and distinct issue before us.

MR. ONSLOW thought the right hon. Member for Greenwich should state whether he had determined to withdraw the third and fourth Resolutions before the House could satisfactorily commence any discussion; but he desired to know from the Chair whether the right hon. Gentleman would not have to obtain the consent of the House to that course, and whether he could withdraw them without giving the House a reason?

MR. SPEAKER, in reply said, that the House had no power to compel the right hon. Gentleman, after proposing his first Resolution, to go on with the Resolutions succeeding.

SIR H. DRUMMOND WOLFF: I rise to a point of Order. It appears to me that the Amendment of which I have given Notice takes precedence of all others; but it appears also that the right hon. Gentleman is not going to put forward his second Resolution in the amended, but in the original form; whereupon an Amendment will be proposed by the hon. Member for the Border Burghs. It appears to me that if the Motion for the Previous Question is first put, it will not be possible for the Member for the Border Burghs to put his Amendment; and I should like to know how that stands before I give an answer to the suggestion of the Chancellor of the Exchequer, which I am quite ready to substitute for my Amendment.

MR. SPEAKER: I have to state that I consider that the Amendment of the Previous Question applies not only to the first but to all the five Resolutions, and in the event of the second Resolution being put, the Amendment having claim to precedence will be the Previous Question. In that case the Amendment of the hon. Member for the Border Burghs will be shut out.

MR. BENTINCK again rose to address the House, whereupon

MR. SPEAKER informed the hon. Member that, having already spoken, he was out of Order.

MR. GORST wished to know if the Orders of the Day were postponed, and if the right hon. Gentleman proceeded to move his first Resolution, whether he would strictly confine his speech to the subject-matter of that Resolution, and whether he would be in Order if he entered upon matters germane only to the third and fourth Resolutions?

MR. SPEAKER said, the right hon. Gentleman would be entitled to offer to the House any arguments relevant to the Motion before the House, and it would only be his (Mr. Speaker's) duty to call the right hon. Gentleman to Order in the event of his addressing it on matters not relevant to the subject before the House.

MR. SULLIVAN said, a new reason had developed itself for opposing the postponement of the Orders of the Day. He desired to know what they were going to do, although there were a great many hon. Gentlemen who had begun to think, after what had passed, that they might as well postpone the debate altogether. The debate ought to have been entered upon with solemnity, and he could not help expressing his own opinion that the moral effect of the debate—whatever it might have been—would be sadly marred by what had occurred. He should be sorry to say a word which might wound the feelings of hon. and right hon. Gentlemen on his side of the House, but he would take the liberty of remarking that they could not but feel a certain amount of mortification at the spectacle they themselves presented. Whoever had advised the move which right hon. Gentlemen on the front Opposition bench were making that evening, it was a move which, in military strategy, was well known to be almost always disastrous—namely, changing front in the face of the enemy. It was very well known that what they

were engaged in at that moment—there was no use beating about the bush any further—was simply an endeavour to hold a reconstructive meeting of the Liberal Party on the floor of the House of Commons. The right hon. Gentleman the Member for Greenwich, unknown to the majority of those who had been gallantly prepared to follow him to a division, when he was repudiated by others from whom he might have looked for the heartiest support, had now made terms with those who sat near him on the front Opposition bench. But what of those Members of that House who had heard these these new Resolutions for the first time, as he would call it; what of the men who stood by him during the last week; what of the country that had answered to his call; what of the resolutions which had been passed in many places, declaring the Motions which the right hon. Gentleman had drawn up to be right and true, and declaring that nothing else would satisfy the country? Was all that had been done in that way to be cast aside at a moment's notice by a sudden shifting of the scenery in that House? What of humble men like himself, who had endeavoured to decide what course they ought to take with reference to the Resolutions as they stood on the Paper, and who had been taken into no one's confidence? A mine seemed to have been sprung on him and others that evening, as the result of an arrangement entered into—he almost hesitated to say—more for the purpose of healing up a split in the Liberal Party than of really facing the gigantic political issue before the House. He ventured to say that the condition on which the hon. Baronet the Member for Maidstone had expressed willingness to withdraw his Motion was a condition distasteful to independent men, and that they had a right to be informed whether the last two Resolutions were to be discussed or not. Speaking, he was sure, for others as well as himself, although with no formal authority, he must say that if these Resolutions were withdrawn, it would be better to have no debate at all, for the debate would be merely about truisms, and would be simply a waste of time. He would end as he began, by expressing his profound regret that at a moment not only of European, but of world-wide anxiety, when something decided, something affirmative, ought to be proposed, and when Resolutions [illegible] been taken up after a week had [illegible] spent in no end of interviews and [illegible] end of negotiations, the course to be [illegible] lowed had not been arranged on Sa[illegible] day or Friday. As it had not b[illegible] made at that time, he thought [illegible] should stand like men to their [illegible] and not change their front in the [illegible] of the enemy.

MR. A. MILLS said, that they [illegible] now debated this matter for an hour [illegible] a-half, and he would be glad if the r[illegible] hon. Member for Greenwich would [illegible] swer the question whether he inte[illegible] to move the third and fourth Res[illegible] tions. He understood the right h[illegible] Gentleman in the Chair to say tha[illegible] would be competent to debate the wh[illegible] question on the first Resolution. [illegible] thought it was not consistent with [illegible] dignity of Parliament to turn it int[illegible] debating society. He wished to kn[illegible] whether the right hon. Gentleman me[illegible] to challenge the policy of the Gove[illegible] ment?

MR. DILLWYN thought the quest[illegible] should be distinctly and categoric[illegible] answered, and in order to endeavour [illegible] obtain from the right hon. Gentlem[illegible] the answer which he believed would [illegible] be obtained otherwise, he would mo[illegible] that the right hon. Gentleman be n[illegible] allowed to answer the question whi[illegible] had been put to him.

MR. SPEAKER: The question bef[illegible] the House is, that the Orders of the Da[illegible] be now postponed until after the Res[illegible] lutions of the right hon. Member f[illegible] Greenwich.

MR. DILLWYN: I have moved a[illegible] Amendment.

MR. SPEAKER: The question is on[illegible] simply with reference to the postponi[illegible] of the Orders of the Day. I am boun[illegible] to inform the hon. Member that he ha[illegible] not moved any Amendment in a for[illegible] which I can put from the Chair.

MR. DILLWYN: Then I will pu[illegible] myself in Order, by moving that the[illegible] debate be now adjourned.

MR. HANBURY, in seconding th[illegible] Motion, said, that hon. Members als[illegible] wanted to know whether a vote on the[illegible] first Resolution was to imply any opinion[illegible] on the third and fourth.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Dillwyn.*)

MR. TREVELYAN, while feeling it to be unpleasant to take part in such a debate, thought it absolutely necessary to say two or three sentences. Things had been said about a "compact" and a "compromise;" but the part he had played in the matter was a part which he believed a very great number of hon. Gentlemen in the House would thoroughly understand. He was one of those who did not agree with the Resolutions of the right hon. Gentleman. He did not think we ought to coerce the Turk—he did not think we ought to go to war against Turkey in any circumstances whatsoever; but he was one of those who thought it would be an awful national sin in any way to assist Turkey. It was with that feeling, and because he wished a definite issue to be raised, that he had taken the course he had. An hon. Member, amid cheers on the other side, characterized the first and second Resolutions as a truism. He did not think that, to the minds of many hon. Members, the announcement that under no circumstances whatever, we ought to give support to Turkey was at all a truism. He wished that the tone of the speeches of hon. Members would permit him to think so. If these Resolutions were carried, it would be a reversal of the old policy, and, as he believed, the wrong policy of this country. ["Question!"]

MR. SPEAKER: The hon. Member is now discussing Resolutions which are not before the House.

MR. TREVELYAN bowed to the decision of the Chair, and wished only to submit, in self-defence, that the first two Resolutions, far from expressing a mere truism, were well worth debating for several nights.

MR. NEWDEGATE said, the House was very anxious to know what the right hon. Member for Greenwich meant; and notwithstanding the difficulty in which the hon. Member for Louth (Mr. Sullivan) might be placed by having to make up his mind again for himself, the House, he thought, would act only rationally in listening now to what the right hon. Gentleman had to say as to the course he meant to take.

MR. GLADSTONE: Sir, I am afraid I must ask the indulgence of the House in answering this question. I cannot answer it without explaining some matters which I think it absolutely necessary should be explained, in order to enable the House to understand the position in which I am placed. I shall, therefore, say at once all that I have to say which has relation to the form of my Motion. Now, Sir, I heard in the early part of the Session, on a great variety of occasions, not only from the hon. Member for Mid-Lincolnshire (Mr. Chaplin), but also from the Chancellor of the Exchequer, a very great anxiety expressed that hon. Gentlemen in Opposition—and I have no doubt the right hon. Gentleman must have alluded, and, indeed, on some occasions he directly referred to me—that hon. Gentlemen in Opposition who had taken a prominent part outside these walls with respect to the Eastern Question should make their proposals inside these walls. They were told that if they had elsewhere recommended a Vote of Censure on the Government, they ought to move such a Vote in this House; or if they had advocated an alteration of policy, they ought to propose the alteration here; and if they did so, Government would willingly and gladly promote a free discussion of their proposals. I might support at great length, by quotations from the speeches of the Chancellor of the Exchequer, the statement I have just made; but I would rather rely on his belief that what I have said is an accurate *résumé*, in substance, of what fell from him on many occasions. Well, Sir, I felt it was impossible for us, without the risk of damage to the public interests—impossible, I would say, for me as an individual and an independent Member of Parliament, without the risk of damage to the public interests and without violating those rules of public duty and service which old Servants of the Crown are especially bound to observe—to raise any questions in either of the suggested forms so long as Her Majesty's Government were engaged in negotiations which were ostensibly carried on in concert with the other Powers of Europe. Therefore, I heartily concurred in the proceeding of my noble Friend the Leader of the Opposition when he postponed for ever so many weeks—I will say so many weary weeks—any discussion upon this question which could involve a change of general policy on the ground of possible detriment to the public interest. When these negotiations had come to a close, we arrived at

a period like that which appeared to be described by Lord Clarendon in March, 1854, of drifting into war; that is to say, the active efforts of the Powers were at an end, and, at the same time, war could not be said to have absolutely begun. It then appeared to me that the time had come when I, who had taken an active part in the proceedings out-of-doors, might fairly be challenged by the hon. Member for Mid-Lincolnshire, by the Government, or by anybody else, to bring this matter in some way or other under the judgment of the House and to sustain the propositions which I have sustained elsewhere. The hon. Member for Mid-Lincolnshire is under an entire mistake when he supposes that in the course of the Recess I have proposed the removal of the Government, or Parliamentary proceedings against the Government. The furthest point to which I went was to declare that it seemed to me necessary in the public interest for the Government to alter its course, to modify and amend the policy which it had adopted. When, after the despatch of Lord Derby in the end of September, after the mission of Lord Salisbury to Constantinople, it appeared to us out-of-doors that some such modification had occurred, then, until the meeting of Parliament, I remained, if I may so say, provisionally contented with what was going on. But it has been plain to me since that new circumstances have arisen—that the position of things is not now as it was when Lord Salisbury went to Constantinople—that new matters have come upon the scene; and therefore I could not conceal from myself that in my own opinion arguments which had been urged in the Autumn for further declarations and further steps on the part of the Government were still valid, and it was still a matter of duty incumbent upon me to bring the question before the House. In consequence I considered with myself in what mode I could best submit these matters to the consideration of the House. My object is not, and never has been, to obtain or ask for a Party advantage against the Government. [*Laughter, and* "Hear, hear!"] Well, Sir, I understand the class of mind from which a sneer of that description would proceed; but even Gentlemen with that class of mind will recollect that the first time I opened my mouth in this House upon the Eastern Question was strongly and explicitly to commend the Government when their conduct was supposed to be impugned for the course I then believed they had taken with regard to the Andrassy Note, and that for six months after that commendation I remained absolutely silent, unwilling to proceed to cavil or to comment upon the grounds which were before me as to their policy. I cannot pretend to speak as a supporter of the Government who thinks that their conduct in this matter has been laudable or beneficial to the country. My opinion, unfortunately, is the exact reverse; but it was not my object to gain an advantage over the Government any more than to give an advantage to the Government; but my object was, if possible, to do something for the vast interests that are involved in the question. That was my sole object, and it is my sole object now, and for that reason I determined to place my proposal before the House in that form in which it would be most easy for the Government, and most easy for anybody else in this House to say—"We object to parts of your proposal, but there are other parts of your proposal which we do not think objectionable; we will march with you thus far, though we cannot march any further." It appeared to me to be of the utmost importance that there should be, if possible, some union of sentiment upon the subject. I at least wished to do all that was in my power to prevent the question falling into the category of Party questions; and I therefore proposed these Resolutions. They were a whole in my own mind; I could not propose the first without necessarily going to the second, third, and fourth, and to the fifth as a mode of combining them together; but, while I looked upon the entire argument as one, while I believe I am correct in saying that on great subjects such as this it has been the usual method instead of moving an Address on the entire subject-matter, which I could hardly have done in point of form, I put the different parts of the subject in separate Resolutions for the convenience of the House. It appeared that this course was recommended by the most obvious considerations—I do not say of Party advantage or disadvantage. I do not know whether there was the one or the other, but by the most obvious considerations of public policy. I own I

had the hope with which I am taunted by the right hon. Gentleman the Secretary of State for War, and which he seems to have thought it a sin for me to entertain; and, while he taunts me with that hope, he assumes that the terms of the Resolutions with regard to which I entertained it are worth nothing; yet, at the same time, I intended nothing in the nature of an indictment against the Government in my proceeding. Little does the right hon. Gentleman know of the motives that have governed my mind. Himself an honourable and high-minded man, I am truly sorry he is not ready to give some credit to others for being actuated by motives such as those which would prompt him in similar circumstances. In my Resolutions I divided as carefully as I could the several portions of my subject, and I said to myself —"Surely it is hardly possible that the Government will object to allow this House to express, in terms which I think much more suitable than those which they advised Her Majesty to use, but at the same time in terms analogous in their effect, what the House thinks of the conduct of the Government of Turkey in respect to the despatch of the 21st of September." I then went on, it appeared to me, in logical order and in a practical and consistent manner, in the next step, to the establishment of what I venture to think the ineffaceable guilt of the Ottoman Government with respect to the Bulgarian revolt, and I proposed to ask the House to say that neither the moral nor the material support of England ought to be afforded to the Porte; and I had some hope that the Government might be induced to go so far as to say that in the circumstances it was expedient that this great Christian country should make a declaration to that effect. The right hon. Gentleman says he distinguishes between the operative parts of these Resolutions and the inoperative parts; but, in my own opinion, the first and the second Resolutions are highly inoperative. It is quite true that in my own mind they are introductory to the third and fourth; but it is also true that in my own mind they are in themselves most important, most pregnant propositions, to establish which would relieve the mind of the country if it were the pleasure of Her Majesty's Government and of the House to sustain them. With regard to the third Resolution, I know of no reason why it should not be adopted by Her Majesty's Government. I did not in the third Resolution push to its fullest extent the precise policy I myself recommend; I have taken the phrase "practical self-government," because I found it in the despatch of Lord Salisbury, No. 167, page 216, of the second Blue Book presented in February, and because substantially it appeared to me to comprise all that was requisite. Then I placed the word "exacting" in the fourth Resolution, because, whether we use the word "exacting" or "obtaining," I meant to express the opinion I fully entertain, that the united authority of Europe ought to require from the Porte the adoption of those measures which are necessary for peace and justice. But I could not conceal from myself, even in the framing of these Resolutions, that there are many hon. Gentlemen in this House who might be disposed to entertain the earlier Resolutions who would not be disposed to entertain the later Resolutions; and certainly my hope was and my intention was to obtain the judgment of the House, as far as I asked it at all, in the most favourable form and the most favourable manner I could. I therefore intended—if I may describe my intentions when so much is said with regard to motives—when I gave Notice of the Resolutions, to proceed with them in the full expectation that we were to have what is called a fair stand-up fight. It may be wrong on my part; but I own I cannot express the surprise with which I found that it was the intention of Her Majesty's Government, after the invitation they had given to us, and given I may say to me, to make a proposal of our policy — after the manner in which my hon. Friend the Member for Hackney had been compelled, as far as compulsion could be brought to bear, to divide the House against his will, when he had proposed something of a policy upon this subject—I was perfectly astonished when I found on Friday evening last that Her Majesty's Government, by whom we were invited to discuss it, and who, therefore, as I conceive, had promised a free, large, and full discussion, intended to support the Motion for the Previous Question, the effect of which, if carried, was to shut out all Amendment; for of course, if the Previous Question was adopted upon the first Resolution, that would *à fortiori*

imply that the House would not be in the slightest degree disposed to proceed with the other Resolutions. In that state of things I considered with myself what I should do, without communicating with my hon. Friend the Member for Maidstone (Sir John Lubbock) or anybody else; and it appeared to me, undoubtedly, that in all probability my best policy would be to take a division on the first, and to state that although I regarded all the Resolutions as perfectly distinct, yet as I had, in homely phrase, put my best foot foremost, as the first Resolution was most likely to conciliate support, I had in my own mind considered the matter, and certainly I thought, both in point of usage and policy, I should be perfectly justified in refraining from taking the sense of the House upon the other Resolutions. It may be properly pointed out that there is an intermediate course—that I might have asked to have the Resolutions put from the Chair, and might have had them negatived; but I remember the case of my hon. Friend the Member for Hackney, that upon him it was endeavoured apparently, as far as we were able to judge, to put in force a practice which one of your Predecessors, Sir, declared irregular and un-Parliamentary—namely, that of what is termed forcing a division. I determined not to expose myself to that risk, and I therefore felt I should be perfectly justified, having submitted a proposal, as being in my own mind a whole, in a series of propositions which hon. Members are entitled to separate and treat, if they think fit, as absolutely independent of one another, in concluding that I should not go forward with the other Resolutions. Then, I found to my great satisfaction that if I did not move my later Resolutions my liberty of stating my plan as a whole remained to me, and that if I did not propose those later Resolutions so as to commit others to their support, which I have not the least desire to do, although committed to them myself, I should have the advantage of meeting the views of my noble Friend and others who sit around him. The hon. Member for Louth (Mr. Sullivan), who generally speaks with ability, good sense, and proper feeling, seems to me to treat the question as if my desire to find myself in union with my noble Friend, my old Colleague, and my present Leader, was a sinful desire. I was, however, delighted to find that, partly on the conditions I have described, which are entirely acceptable to me, and partly on the condition of the alteration of the second Resolution, my noble Friend thought it in his power to give a cordial support to these two Resolutions. Sir, I can go a great deal further, and I will say that I am not unable to distinguish between all I should like to have and the amount of support I can get. I say that if it were possible to induce hon. Gentlemen opposite to concur in any kind of Resolutions which would have the effect of clearing up the apparently ambiguous and even dangerous position in which we stand—if that were done in any way they could devise, nothing would give me more pleasure than to meet them. Therefore, desiring to meet them in an amicable frame of mind, and having always in view not the question of benefit to us, or damage to them, but that of advancing these enormous interests which are in some degree placed in our charge, it seemed to me that I could not possibly hesitate to make known to my noble Friend that which was in my own mind, and which I felt would relieve him from every kind of responsibility as to the last three Resolutions, however much I may be attached to them. I hope I have in some degree explained the course I intend to adopt. With regard to the alteration in the second Resolution, I have said I did not think myself justified in moving any alteration whatever, but I should be most ready to assent to the alteration of my hon. Friend. I have no hesitation in going a little further and saying that, though the alteration of my hon. Friend makes the Resolution less complete as a declaration of policy, yet to me, who take what very roughly and popularly speaking may be called the anti-Turkish side, his form of the Resolution is, if possible, more satisfactory to me than my own or any other form. How then could I hesitate, in the circumstances that I have described, as to the course I should adopt? I never heard of any principle, either of prudence or Parliamentary usage, which prescribed that anyone proposing a series of Resolutions on a great subject was bound to have each and all of those Resolutions severally put from the Chair; and having before me the fear of what are called "forced divisions," I must own that it cer-

tainly appeared very imprudent on my part to allow myself to be passed through the Candine forks, by leaving it in the power of any hon. Gentleman opposite to throw discredit on them by opposing the withdrawal of the latter Resolutions. I decline altogether to recognize the distinction which has been drawn between the operative and inoperative Resolutions. Logically and morally, as they are connected in my mind, I maintain, the first two Resolutions of themselves embody the most important declarations; and an immense gain would be obtained if it were possible to induce the Government to accede to them. The right hon. Gentleman now represents them as of no value or importance whatever; but if they are as he says, and if they do not contain mischief and poison—why will not the right hon. Gentleman opposite concur with this side of the House in obtaining the united declaration of the House of Commons on this subject. [*Loud cheers.*] I hear what I believe to be sincere cheers from the other side with the greatest pleasure; and I assure hon. Gentlemen opposite there is no sacrifice I would not make, so far as merely personal feelings and conditions are concerned, in order to obtain that which I desire. I want to relieve my country from what I think a most serious risk of danger, guilt, and dishonour; and in these circumstances I should be the basest of men if I did not endeavour to be guided, in every point that is to be decided, by the consideration in what way I could most effectually take steps towards it. That is the whole case; and so far as I am personally concerned I think I have made a perfectly clean breast of it. The Resolutions, as I have said, are morally and logically one, yet for Parliamentary purposes they are distinct and separate propositions. I felt the concession from me about the second Resolution was one which it was impossible reasonably to decline; at the same time, as stated by my noble Friend, if hon. Gentlemen felt that the alteration I had expressed my willingness to adopt required and entailed the necessity of further consideration, I could not possibly object to that. I think I have answered the questions which have been put to me. Before sitting down I may say—and it is right I should say—that I was so astonished to hear the announcement of the Government to employ the Previous Question on Friday that I did not at the moment see what course I ought to adopt; but, taking a little time to consider, I did come down to the House at a later hour for the purpose of reviving the subject, which appeared quite necessary for me to do. I found, however, that I was prevented doing so by the accident of a count-out, which will happen from time to time, notwithstanding the best arrangements of the Government to keep a House. That alone prevented me from asking for an explanation or saying a word on the subject, and no alternative was left but the course I have now pursued.

MR. PELL said, he regretted that the right hon. Gentleman (Mr. Gladstone) had not taken the opportunity of the Motion for the Adjournment of the Debate for clearing away much of the doubt and difficulty that surrounded the present position. He did not wish to give any offence; but it appeared to him that some arrangement had been come to between the hon. Member for Maidstone (Sir John Lubbock) and the right hon. Gentleman the Member for Greenwich. Now, they knew nothing of that; but he understood the hon. Member for Maidstone to say that he intended to withdraw his Motion if the right hon. Gentleman would withdraw the third and fourth Resolutions. The House had not yet been told whether the right hon. Gentleman intended to do that or whether he intended to argue and to take the sense of the House upon them. He (Mr. Pell) thought such a course of procedure was hardly fair to the hon. Member who had withdrawn his Motion of the Previous Question, that the matter should be left in that state of uncertainty. He would, therefore, ask the hon. Member, whether he intended to support the demand that the right hon. Gentleman should state clearly whether he intended to divide the House upon the third and fourth portions of his Resolutions if the opportunity were afforded him?

SIR JOHN LUBBOCK said, that as the hon. Gentleman opposite (Mr. Pell) had referred to him he would ask the permission of the House to say a few words. In the course he had taken he trusted the House would believe he had acted in deference to the views of many whose advice he could not disregard.

It was, moreover, in his own judgment, that which was most calculated to promote the maintenance of peace and the true interests of the country; although he was sorry to differ from some few of his hon. Friends near him. His course had been perfectly clear. As soon as he heard that the right hon. Gentleman intended to modify the Resolutions in the manner now announced, his (Sir John Lubbock's) objections to them ceased. No doubt a number of meetings had been held throughout the country in support of these Resolutions; but it could not have escaped attention that these Resolutions had been supported at the various meetings on very different grounds, some speakers having thought they meant coercion of Turkey by war, and others that they meant neutrality. Their wording, however, in his opinion, pointed to war. But as the matter now stood, the case was very different. The right hon. Gentleman had accepted a modification of the second Resolution which entirely met their objections, and while advocating the general policy indicated in the third and fourth, he would not propose them formally. But it was one thing to support the general tenour of Resolutions, another thing to ask the House to pass them as formal and binding instructions to Government, irrespective of what circumstances might arise. The hon. Member for Louth (Mr. Sullivan) had said that the Amendment which the right hon. Gentleman the Member for Greenwich had accepted in the second Resolution had reduced it to a truism. Well, but then, if that were so, what was it before? If the change had made it a truism, then, before the change, it contained a pledge of assistance under certain conditions. But that would have been entirely in opposition to the policy of neutrality advocated at so many meetings. The alteration in the second Resolution which had been accepted by the right hon. Gentleman had entirely changed the character of that Resolution, and made it one of which, for his own part, he could cordially approve. When he was told that the first two Resolutions meant nothing and were unworthy the attention of the House, he must ask himself —"What about those meetings throughout the country, and the resolutions passed at them?" The two Resolutions now before the House seemed to him very clear and very important. They expressed in the strongest possible manner the horror which was felt by this country at the atrocities in Bulgaria, they announced what he believed was the almost unanimous wish of the country—namely, to maintain neutrality. They gave the most solemn possible warning to Turkey; and if Her Majesty's Government would only accept them in the spirit in which they were intended, they would give them the greatest possible assistance in their efforts to give peace, justice, and good government to those afflicted Provinces.

MR. MARK STEWART asked the hon. Baronet to explain more clearly what course he intended to pursue, as the right hon. Gentleman the Member for Greenwich had not answered the question whether he intended to move the third and fourth Resolutions?

SIR JOHN LUBBOCK said, it appeared to him that to look at the Resolutions as a general expression of policy was a very different thing from forcing them as binding upon Her Majesty's Government. It was the latter course which to his mind formed the great objection to the Resolutions as they originally stood.

SIR RAINALD KNIGHTLEY said, the House had been asked to interfere with the regular course of Public Business in order to discuss distinct Resolutions. An appeal had been made by the hon. Members for Hackney, Birmingham, Louth, Exeter, and various other places to obtain a clear understanding whether the right hon. Gentleman did or did not intend to move the third and fourth Resolutions. He also wished to ask the right hon. Gentleman whether he intended to move them?

MR. MACDONALD desired to express his dissent from the remarks made by the hon. Baronet the Member for Maidstone (Sir John Lubbock), who believed that the Resolutions as they now stood would express the feelings of the meetings which had been held throughout the country. He had attended several of those meetings, and he begged leave to say that the Resolutions in their altered form would not express the feelings of the country. Therefore, the hon. Baronet the Member for Maidstone could have no correct knowledge of those feelings.

Motion, by leave, *withdrawn.*

Question again proposed.

MR. SAMPSON LLOYD said, that it was due to the House and to the high character of the right hon. Gentleman that he should give a distinct answer to the question whether the third and fourth Resolutions were to be moved or not? To enable the right hon. Gentleman to speak again he begged to move that the House do now adjourn.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Sampson Lloyd.*)

LORD ELCHO said, it was only fair to the House and to every Member of it, and he must add to the right hon. Gentleman himself, when he was asked to say "Yes," or "No," as to whether he intended to stand by his third and fourth Resolutions, that the right hon. Gentleman should give an answer to that plain and distinct question.

MR. GLADSTONE: I thought I had answered it before three or four times. My noble Friend is acute enough when he wants to be acute, and I am sorry that I have been unable to convey clearly my intention upon this occasion. I mentioned that I had some days ago, with the Motion for the "Previous Question" on the Paper, made up my mind not to proceed with an attempt to obtain a decision referable to each Resolution for the reasons I have already stated, as being fatal to free discussion; but when I found that by not asking the Speaker to put the third and fourth Resolutions and by accepting an Amendment, to me perfectly acceptable, I should obtain the support of many Gentlemen whose votes were of a value beyond their numerical force, I had no hesitation in making it known that I had no intention of asking you, Sir, to put the Resolutions from the Chair.

MR. R. SMYTH said, he also had a question to put. He wished to ask the noble Lord opposite (Lord Elcho) whether he would pledge himself to put his Resolution?

MR. GOLDNEY said, he understood that the right hon. Member for Greenwich had determined not to put his third and fourth Resolutions.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Ordered, That the Orders of the Day be postponed until after the Notice of Motion relating to the Eastern Question.

MR. GLADSTONE,* in rising to move the first of the Resolutions of which he had given Notice, as follows:—

"That this House finds just cause of dissatisfaction and complaint in the conduct of the Ottoman Porte with regard to the despatch written by the Earl of Derby on the 21st of September, 1876, and relating to the massacres in Bulgaria,"

said: I much regret that I should introduce a subject of the greatest importance after discussions which must necessarily have had, I do not say an irritating, but a dissipating, effect upon the mind and attention of the House. Before approaching it, I must deal with one or two preliminary matters.

My hon. Friend the Member for Stafford (Mr. Macdonald) has spoken of the character of the manifestations which have recently proceeded from the country. I have watched the proceedings and read the declarations and conclusions arrived at steadily and regularly; until to-day, when the number of meetings has entirely overpowered me, for, irrespective of other correspondence, the reports of nearly 100 meetings have reached me since this morning. As a matter of fact, having read all the resolutions passed at the previous meetings, and having even observed that from day to day their tone became warmer and warmer, I am bound to corroborate the statement of my hon. Friend the Member for Stafford. In a very small number of these popular declarations, neutrality was either mentioned or implied. But I must add, again speaking simply to a matter of fact, though I put no particular construction on it, the reception of the Resolutions now before the House has been singularly different among the authorities that guide public opinion in the Metropolis, and those who address it in the country. Some of the greatest pundits of the Metropolis have been puzzled as to what my Resolutions mean; and I am not sure that there is not a similar doubt and obscurity in the minds of Her Majesty's Government. The people of the country, however, do not appear to have experienced any portion of this difficulty. I am able to say of all the resolutions at meetings held throughout the country, that in more than 19 cases out of 20 their general scope has been in correspondence not merely with the first two of my five

[*First Night.*]

Resolutions, but with the whole. It is only fair to admit that I received an account of an adverse meeting held in the great town of Bradford; but it was the adverse meeting, not of the town of Bradford, but of the Executive Committeee of the Conservative Association. I wish to give it its due publicity in order that such weight as it can fairly claim may be given to it. Now, though many of the declarations of opinion have come from Liberal Associations, yet also a large number have come from towns' meetings regularly summoned, and from other public meetings openly convened, largely attended at the very shortest notice, and pervaded by a spirit of enthusiasm equal to that which marked the expression of opinion in September. At one of these towns' meetings—that which was held in Northampton, under the presidency of the Mayor—a gentleman moved a declaration to the effect that it would not be well to interfere with the action of Her Majesty's Government, and not a single person was found to second that motion. There is another town, and that is the town of Christchurch, represented by the hon. Gentleman who is not now in his place (Sir H. Drummond Wolff); he has wisely retired for the refreshment so necessary to us all for renewing the zeal and vigour of the inner man. Well, I am glad to think that the hon. Gentleman who is about to move the Previous Question, if the Notice holds good, is or was entirely at one with me on the substance of this matter. I hold in my hand the report in a Conservative journal of the speech made by him at Christchurch in September, in which he declares positively that the Provinces of Turkey must be liberated; and, as the promises of its Government are worthless, there must be other guarantees. I am glad to see that in the town he represents a public meeting has been recently convened by the Mayor, and a requisition has been made to the hon. Gentleman requesting him to support the Resolutions, the discussion of which he is about to stifle. The hon. Member will tell me if I misrepresent the case.

SIR H. DRUMMOND WOLFF: The right hon. Gentleman is misrepresenting the case. The persons who requested me to support the Resolutions were chiefly persons outside the borough, imported in waggons.

MR. GLADSTONE: The authentic organ of opinion in a borough is a public meeting convened by the Mayor, and my statement is not weakened by the census the hon. Gentleman has somewhat rapidly taken of the persons attending it, in a manner not, I think, the most complimentary to his constituents.

I now come, Sir, to the main question. These Resolutions would include, undoubtedly, a vital or material alteration of the declared policy of Her Majesty's Government. But my first object, and one of my main objects, is to clear that position of the Government in a most important respect. One of the points which I must endeavour, therefore, to establish is, that that position is at present ambiguous. Am I right in saying that, if this is so, it is desirable that their position should be cleared? I think I can show that I do not overstate the case. I do not propose to move a Vote of Censure on the Government, simply for this reason—that I do not see what public interest would be promoted by my doing it; but I wish to say in the calmest words—yet they cannot be weak words—that I know no chapter in the history of our foreign politics since the Peace of Vienna so deplorable as that of the last 18 months. I speak of that policy generally. Some steps have been taken, especially the mission of Lord Salisbury to Constantinople, which deserved the approval of this House. But that step was immediately met on the part of the promoters of the Autumn movement by their reposing, at least provisionally, their confidence in the Ambassador, and by their abstaining from every step that could weaken his hands. They had to consider the mission in the light of the Guildhall speech. It was difficult to say how far it was modified by that extraordinary speech; but, notwithstanding, confidence in Lord Salisbury's purpose and views was the principle generally adopted, and upon that mission I have not now one word to say of censure, but only of commendation. But while he was at Constantinople there was also another Representative of England there, whose views upon the most vital questions were in direct opposition to those of Lord Salisbury. This utter difference of opinion, as we now know, was known to the Turkish Government, and it counter-

acted all along Lord Salisbury's efforts. This, then, is one of the points upon which the positton of the Government is ambiguous and requires to be cleared.

Then, again, with regard to the withdrawal of Sir Henry Elliot from Constantinople at the close of the Conference. The conduct of the Porte had at that time deserved some manifestation of that feeling which it was reasonable for Her Majesty's Government to entertain; and all the other Powers had intelligibly shown their displeasure. But so far from displaying such a sentiment, Her Majesty's Government carefully made it known that the departure of Sir Henry Elliot was no sign of displeasure. Why was that done? It brings into question, if not the sincerity of the Government, yet at the very least their firmness and clearness of purpose. Then, again, why was it that Her Majesty's Government, at the time of the Conference, made a communication to the Porte that the views of the Conference would be words, and words alone, and were not to be enforced either by Her Majesty's Government or with its approval? It is a mild description of that proceeding to say that that rendered the policy and the position of Her Majesty's Government an ambiguous policy and position. You might as well have dismissed the Conference altogether. You might as well have done that which you seem given to do, and, at the outset of the proceedings of that European Parliament, have moved the "Previous Question." The Conference was idle; the Conference became a farce from the moment when Turkey had been informed by England that in no circumstances would she either herself enforce, or recognize the enforcement by others of, the decisions at which the Conference might arrive. Why, Sir, what was the position of the case? England was then the sole obstacle to a policy that would have given reality to the decisions that Lord Salisbury had laboured so gallantly to promote. But, like the power behind the Throne in other days, there was somewhere or other a power behind Lord Salisbury which determined that he should not succeed. And, consequently, at a very early date in the proceedings the Porte was informed on this vital matter. Why was the Porte informed of it? Why was the Porte informed of it then? When was Lord Salisbury made aware of it? Did he know it before he left England? [The CHANCELLOR of the EXCHEQUER: Yes.] Ah! he did? He knew that he was to be allowed to use words, and words alone? Did he know it before he accepted the mission? My question now is whether, when Lord Salisbury left England, and not only when he left England, but when he accepted the mission and allowed himself to be proclaimed Ambassador, he had been made aware by his Colleagues that the words which he might use, and the decisions at which the Conference might arrive, were to be recommendations simply, and were in no circumstances to be imposed upon the Porte? To that I have no answer. I must answer is for myself. But, whether Lord Salisbury was aware of the intention or not, why was that communication made to the Porte before the proceedings of the Conference? Why was that communication made, which drew forth a lively expression of the gratitude of the Grand Vizier and of the Turkish Government, not to the British Government at large, but to Lord Beaconsfield and Lord Derby? Was the same thing done by other Governments? The Austrian Government, on the contrary, knowing perfectly well with whom they had to deal, had declared that when the decisions of the Conference were arrived at they ought to be imposed upon the Porte by a naval demonstration; and, unless I am much mistaken, it was well known to the Government of Her Majesty that in the opinion of the Government of France the Conference was an idle form if the Porte was to be apprised that force was not to be used with respect to the recommendations of Europe. Therefore, we find Her Majesty's Government, by their unhappy act, playing the evil genius of Europe, and at the most critical moment taking the very step that was certain, in the opinion of the best and most experienced judges, to nullify and frustrate utterly the labours they were ostensibly undertaking. It is a mild description to say that this rendered the position of the Government an ambiguous position.

I am bound to say I think the mission of Mr. Layard has, in its outward aspect, the same effect. I carefully abstain from pronouncing a final judgment upon it. I do not desire to make it a subject

of censure. I have known Mr. Layard in two capacities. I have known Mr. Layard when I last held Office under the Crown. I then knew him as the able and zealous Representative of this country at Madrid, discharging his duties in a manner that gave to the late Ministry the most perfect satisfaction. But I cannot altogether set aside my recollections of Mr. Layard in this House, when he was by far the most effective, and by far the furthest-going advocate of the Government of Turkey whom I have ever known to sit on these benches. Consequently, as we find in the Blue Book which was presented to us on Saturday, the appointment of Mr. Layard was again selected as a special subject of thanks by the Turkish Government, and it was acknowledged in a peculiar and very appropriate phrase to be on the part of the Government of Her Majesty, inasmuch as they knew his friendly sentiments towards Turkey, a "delicate attention." A "delicate attention" to that Government which has made itself responsible in full from first to last for the massacres of Bulgaria, and whose fixed intention it is that on the first similar occasion similar massacres should be again perpetrated. "Delicate attentions" to that Government from the Government of Her Majesty are matters which, if not wrong in themselves, at least require some elucidation to show that their position with regard to the crimes of that Government is not an ambiguous position.

Again, Sir, it will be remembered that a despatch was produced to us in the month of May last year, in which it was stated that Her Majesty's Government felt that Turkey was only to depend upon their moral support. Now my second Resolution, which is regarded by the Secretary for War as of so neutral and inoperative a character, carefully states that Turkey has lost all claim to either the material or the moral support of Great Britain. The lines between material and moral support are not always easily drawn. What kind of support did Her Majesty's Government give to Turkey last year when, having sent a squadron to Besika Bay to protect Christian life, they afterwards converted that squadron into a powerful fleet for some other unacknowledged purpose? What kind of support, I say, was the support then given to Turkey? Her Majesty's Government, as far as my knowledge goes, have never disclaimed this ill-omened phrase "moral support." I do not want to pin them to it—God forbid! I wish with all my soul that they may disclaim it; but I wish also to point out that, as far as I know, it has not yet been disclaimed.

What may not be done under the name of "moral support?" Why, almost as much as may be done under the name of "British interests." We sent that fleet to Besika Bay, or, at least, we made that squadron into a fleet when it was in Besika Bay; and what was the effect of the presence of that fleet? I say, without the least hesitation, it was to overawe the Provinces of Turkey bordering on the Archipelago and the Kingdom of free Greece, and to prevent any movement which might have been made in sympathy with the Slav Provinces. And, therefore, although without lifting a hand, it was material as well as moral support that was supplied to Turkey under the name of moral support, for it prevented from pouring into the field those who would have added to the force of Turkey's rebellious subjects.

I venture to say there is a greater ambiguity still, and a more prolific source of it, than those to which I have already referred; it is to be found in the conflicting declarations of the Members of Her Majesty's Government. Having recognized the mission of Lord Salisbury as a kind of point of junction at which we, who had taken part in the popular movement, were able to bring ourselves into a sort of union with Her Majesty's Government, I will go back to nothing in the conduct of the Government which preceded that mission, and thereby I shall get rid of a great deal of awkward matter spoken at Aylesbury and elsewhere. I will not draw a comparison between those speeches, and other speeches which gave some public satisfaction, and tended greatly to arrest the movement which was in progress in the country. I take only what has happened in England since the despatch of September 21 to the Conference at Constantinople. I am bound to say I cannot do otherwise than recognize the most distinct retrogression in the policy of Her Majesty's Government since the closing of the Conference. I also find

contradictions which I at least am wholly unable to reconcile in the declarations of the Government. I take first one declaration, which I think ought to be borne in mind, though I do not dwell upon it, because I do not wish to make it a matter of controversy. There was a declaration by Sir Henry Elliot that it did not signify, so far as the main question was concerned, what number of Bulgarians were massacred, because the thing essential for us to do was to maintain our vital interests in the Ottoman Empire. Lord Derby very properly rebuked and repudiated that declaration in his despatch of the 21st of September; where, after describing the outrages which had occurred, and the countenance given to them, he said that no interests whatever could possibly justify acquiescence in the continuance of such a system. That was a sharp antagonism between Minister and Ambassador. But I want to know which of these two conflicting authorities is to come uppermost in the long run. No doubt the authority of Lord Derby is the greater. I am certain that what he wrote he wrote with sincerity. But if I am to look at the tone and tenor of the declarations of the Government for the last two or three months, I am sorry to say that they seem to me to be relapsing into a position in which the outrages inflicted by the Government of Turkey are to be contemplated as matters of sentimental regret, and for idle and verbal expostulations; but in which action is to be determined by whatever we may choose to think to be British interests. That is to say, that our opinion of what we think best for ourselves is, after all, to be, in substance, our measure of right and wrong all over the world. I want to know whether that contradiction subsists, or whether we still have to learn that there is to be no toleration for iniquity, and that no continuance of material or of moral support is to be given to a Government which is so deeply dyed with the guilt of these outrages.

Next I come to a declaration of Lord Carnarvon. There is not a single utterance which has proceeded from the mouth of any Member of Her Majesty's Government that served the purposes of the Government better at the time than this manly speech of Lord Carnarvon. What did he say? I will not quote him at length, but he said—

"He did not disagree, if he rightly understood it, with the public feeling and opinion, because it had been somewhat loudly expressed, and because here and there there might have been some exaggerations. He thought, on the contrary, it was a credit to the country. He rejoiced that there was neither delay nor hesitation in the expression of that feeling, and, so far from weakening the hands of the Government, he believed that, if rightly understood at home and abroad, nothing could more strengthen the hands of his noble Friend the Foreign Secretary than the burst of indignation which had just gone through the length and breadth of the land."

That was the declaration of Lord Carnarvon. No contradiction to it was given by any Member of the Government at the time. But what has been done lately? The noble Lord the Secretary for Foreign Affairs, in a place which I need not name—his words, wherever they may be spoken, are too important not to excite attention—described the sentiment of the British people, manifested last Autumn, as a "got-up" sentiment—we know what is contained in these words—and expressed it to be his opinion that the effect of it had been mischievous. He thus spoke in direct contradiction of that declaration of Lord Carnarvon; for which, when I just now read it, I was sorry to observe there was not, from the other side of the House, a solitary cheer. On the first night of the Session, when this retrogression of which I complain had hardly begun to develop itself, my right hon. Friend the Chancellor of the Exchequer made a declaration on the subject of the Turkish Constitution, which I heard with the greatest pleasure, but for which he was, I think, severely rebuked by some of the organs of the Turkish Government in the London Press. He earned the rebuke by speaking, as he did speak, the language of good sense about the Turkish Constitution, which he described as a thing in which no sensible man could place the slightest reliance. In doing that he did not go beyond, but remained completely within, the shadow of that most masterly Paper in which Lord Salisbury—as may be seen from the Blue Book—had torn the Turkish Constitution into rags, and held it up to the contempt and derision of mankind. It is, indeed, a device—first and foremost, to delude Western Europe by a show of freedom, and, secondly, to organize, and thereby strengthen the oppressive force which bears down the subject-races.

[*First Night.*]

But is that the tone now? Read the despatch of Lord Derby to Prince Gortchakoff, which we have received to-day. All is changed. You will find that there Her Majesty's Government says plainly that Turkey should be allowed time to reform herself, and that it is not reasonable to abandon the hope of complete and satisfactory relief to the subjects of the Porte, inasmuch as Turkey has promised that reform. But I will quote one more, as it appears to me, a clear and distinct contradiction. My right hon. Friend the Chancellor of the Exchequer told us on a former and not very late occasion that it was a very great hardship to Turkey that she should be complained of for not reforming herself when a war cloud was hanging over her. He said it was a time when it was almost impossible to apply moral pressure to her; and he went on to explain that, in his view, the presence of a Russian army on her frontier made her position one of great difficulty, by appealing to those principles of honour which are supposed to be so highly refined and polished in the Turkish mind. My right hon. Friend distinctly pointed to the Russian armaments as having been an obstacle in the way of the Conference at Constantinople, and as having cut off the hopes of its success; but in saying that he is in direct and diametrical contradiction to Lord Salisbury. Lord Salisbury has publicly declared, and his words cannot be subjected to question, that the Russian armament, on the contrary, constituted the hope of the Conference. I will not trouble the House with lengthened quotations; but Lord Salisbury in substance said that he knew very well that mere words were useless; nay, worse than useless, because delusive, and that it was to the Russian armaments, and the consequent danger to Turkey, and the power of pointing out that danger before her eyes, that the Representatives of the other Powers at the Conference attached their whole hope of inducing Turkey to acquiesce in their conclusions. Even with that advantage, acquiesce she would not. Thus, again, we have important Members of the Government making statements which entirely contradict one another on vital points of the case. And now, this very day, we have the despatch to Prince Gortchakoff, justly hailed with delight by the so-called friends of Turkey. I am not surprised at it, for there is no mistaking the tone of that despatch. In its tone and its tendency it is redolent all through of moral support, it is charged with moral support, and, unless the Government thinks fit to give us some explanation of it which will relieve our minds, we challenge them in this House to-night to have it declared authoritatively whether Turkey has, or has not, lost all claim to our moral as well as our material support.

The House will well recollect the whole line of argument which was pursued by the Government both for some time before and also during the sittings of the Conference. It had become as clear as possible that Turkey had at all times been a country fertile beyond any other in promises. No man knew that better than the right hon. Gentleman the Secretary for the Home Department, when he aptly compared her promises to inconvertible paper, and said that we must have sterling metal. Necessary guarantees, something beyond mere promises, adequate securities, consisting in something beyond and above the engagements or ostensible proceedings of the Turkish Government constituted indeed the pith of the extracts which were read by the Chancellor of the Exchequer on the first night of the Session from the Instructions to Lord Salisbury. Well, what has now become of those necessary guarantees? They are all gone to the winds. We are told in the despatch published this morning that we are to found our hopes on the fact that the Porte has promised certain things, and that as it has promised we cannot be sure that it will not perform. This is the vital point; it lies at the root of the whole matter. We are now told to rely on those promises. But, for my own part, I would repeat what I said on a former occasion, when we were trying remonstrance after remonstrance, and protestation after protestation. Those protestations, and those remonstrances, and those representations which have been lavished in such redundance on the Porte by Her Majesty's Government, are all very well up to a certain point; up to the point at which there remains some semblance of a reasonable hope that they may possibly attain their end. But it is not so, when we have found by long and wide experience that they produce

no substantial result whatever. It was not thus always; for in the time of Lord Stratford de Redcliffe, a man of masterly ability, of iron will, and of a character which did not admit of his being trifled with, something was done in a few points by the Porte, and some improvements, on certain points, were effected in the condition of its people. But during all these later years, the case has not stood so well. With regard to remonstrances made in the time of the late Government, they were not very numerous, for no great crisis occurred in Turkey, and the matters reported were, I believe, comparatively rare. Recently the case has been different. With regard to those remonstrances, which, since the rebellion in her Provinces, have become much more numerous, our experience has been so unbroken and unvarying that the man who persists in a system of mere remonstrances and mere expostulations, really seems to convict himself, either of insincerity, which is not for a moment to be imputed here, or of a total incapacity to understand the affairs with which he has to deal.

I have spoken, then, of contrariety in the declarations of Members of the Government, and of the extremely ambiguous position in which it stands with respect to this question. I think we are entitled to ask that all this ambiguity may be cleared away, and that we may be permitted to know whether after all that has happened we are still to rely on Turkish propositions, and still to afford to the Sultan a moral support. Going outside the Government, I now come to the language of its adherents in the Press and in the country. There never has been a time when I have heard so much of direct communications between the Government and the Metropolitan Press as within the last 18 months; and my belief is that at no time has it been so constant and unfailing. What the tone of the prints is which are supposed to enjoy the privilege of these communications, every one who hears me is aware. I do not hesitate to say that the language which is held among the supporters of the Government in the society of London, and by that portion of the Press which has taken what I may call the Turkish side of this matter—I say which is called the Turkish side, because I believe those of whom I am speaking, and who suppose that they are acting a friendly part towards Turkey, are all the time driving her on to utter ruin—is language, the purpose of which, distinct and unconcealed, is to prepare the public mind for war. And for what war? Not for war under the name of war on the side of Turkey, but for a war to be undertaken under some shadowy pretext of a British interest. Now, what are British interests? and for what purpose is that phrase brought into incessant use? The phrase itself is the most elastic in the world. Consider the position of this Empire. Consider how from this little Island we have stretched out our arms into every portion of the world. Consider how we have conquered, planted, annexed, and appropriated at all the points of the compass, so that at few points on the surface of the earth is there not some region or some spot of British dominion near at hand. Nor even from these few points are we absent. Consider how our commerce finds its way into every port which a ship can enter. And then I ask you what quarrel can ever arise between any two countries, or what war, in which you may not, if you be so minded, set up British interests as a ground of interference. That is the case of India in particular. We go to the other end of the world as a company of merchants; we develop the arts and arms of conquerors; we rule over a vast space of territory containing 200,000,000 people, and what do we say next? We lay a virtual claim to a veto upon all the political arrangements of all the countries and seas which can possibly constitute any one of the routes between England and the East, between two extremities, or nearly such, of the world. We say to one State—You must do nothing in the Black Sea at Batoum, because Batoum and Erzeroum may one day become a route to the East. We say—You must do nothing in Syria or Bagdad, because we may finally discover the Valley of the Euphrates to be the best route to the East. The Suez Canal was made for the benefit of the world; but it is thought by some of these pretenders that we, who almost furiously opposed the digging of it, have rights there which are quite distinct in kind from those of the rest of the world, and that we are entitled to assert our mastery without regard to the interests of other portions of mankind. Then there is the

route by the Cape of Good Hope. It happens, however, that at the Cape no one annexes but ourselves. Nay, it appears from news no older than to-day, that we are so stinted in our possessions that it is expedient to make large additions to our territory there; and to make them exactly by those menaces of force which Ministers think so intolerable in the case of Turkey. And then you know, Mr. Speaker, that any additions to our territory are always perfectly innocent. Sometimes they may be made not without bloodshed; sometimes they are made not without a threat of bloodshed. But that is not our fault; it is only due to the stupidity of those people who cannot perceive the wisdom of coming under our sceptre. We are endowed with a superiority of character, a noble unselfishness, an inflexible integrity which the other nations of the world are too slow to recognize; and they are stupid enough to think that we—superior beings that we are—are to be bound by the same vulgar rules that might be justly applicable to the ordinary sons of Adam. Now I do not hesitate to say that, in the particular case of the Eastern Question, nothing is wanted but right conduct on the part of the Government to give the greatest dignity, as well as the greatest security, to the position of this country. We have improperly allowed the vindication of the great cause in the East to pass into the hands of a single Power. It is true that, by the mouth of Lord Derby, the nation has been made to speak that which by its own mouth it does not, and would not, speak at all. He has rebuked a single Power, and has cast upon that single Power the responsibility of consequences, because it has made itself the organ of the collective will, the united judgment, and the solemn conclusions of Europe. That is the course which we have taken, and that is a dangerous course. We ought to view with regret and misgiving anything that puts a single Power in a position to take such a charge upon herself, and most of all in the case of a Power like Russia, which, as a neighbouring Power, has special temptations in matters of this kind. Such a Power as Russia, and, I must add, such a Power as Austria, has of necessity special temptations in this case; and it can never be satisfactory to me to see the subject settled either by Russia, or by Austria, or by Russia with Austria. But the question remains—How are these terrible evils, which afflict Turkey and disgrace Europe, to be met? Are they to be met by remonstrances and expostulations only? The answer echoed back from the Ministerial benches is—"By remonstrances and expostulations only." Now that, I believe, human nature, the conscience of mankind, and the civilization of the nineteenth century, will no longer bear. If you are not prepared to carry further that united action of Europe in which you seemed to engage, but which you defeated by your ill-judged proceedings, you must expect to see it pass into the hands of others, and your remonstrances and your cavils at others will not be appreciated by the general sentiment of the world until you are able to show that you are yourselves ready to enter into some honourable combination for the purpose of applying an effectual remedy to the evil.

Now, Sir, I pass from this general argument to the first Resolution, and to Lord Derby's despatch. That despatch involved one of two things. It was either a declaration that ought to have been followed up, or else it was a gross and unwarrantable insult to Turkey. There is no escape from the dilemma. You have no right to go about flinging those violent words in the face of any Power, unless that Power has made itself a criminal before Europe; and if that Power is to have your moral support, you have certainly no right to use such language. You were bound either to tear that despatch into shreds, or to go further in your own vindication. The language of that despatch was as strong as the language used at any of the meetings held last Autumn. In substance, it demanded reparation for the past and security for the future. I have read carefully to-day Mr. Baring's Report on the Bulgarian massacres. Remember it is now 12 months since those Bulgarian massacres occurred. What has been the position of the Turkish Government in relation to this question? Those massacres occurred in May, but it was three months afterwards before the first intimation reached the other Governments. What had the Turkish Government done during those three months? They had simply been engaged in wholesale imprisonment of Bulgarians in foul and loathsome dens, in bringing them to

trial, and in directing scores of executions. That was the view of the Turkish Government with regard to the massacres; and they have not, even at this date, attained to a right conception of the ideas of Europe upon these most guilty transactions, and upon their own complicity in them. Lord Derby demanded that the authors of the massacres should be punished; and this, and the demand for reparation, were the main points of the despatch. We are now in the month of May. Let us see what has been done. Mr. Baring tells us that very great progress has been made in rebuilding the villages—with the forced labour of the people themselves—that many of the women and girls have been returned, and that a few of the cattle have been recovered. These are the substantive results of the despatch. These things have, however, nothing to do with the policy of the massacres, nor do they touch in the slightest degree our principal demands. But what has happened as to the punishment of the offenders and the reward of well-doers? I must go, however briefly, over these particulars of the conduct of the Turkish Government, because it forms the ground for the first two Resolutions which I ask the House to adopt. The despatch of Lord Derby has been, in the main points, treated with contempt. I do not discuss the prudence of that despatch—I hold it to be, in various points, far from prudent—but has the conduct of the guilty persons been approved and rewarded by the Turkish Government, or have they been marked out for condign punishment, as Lord Derby, speaking for the Queen, demanded? Shefket Pasha, Toussoon Pasha, and Achmet Aga have not been executed. One of them was not tried; one tried and acquitted; one tried and condemned, but his sentence was not executed. It is an absolute mockery to which we have submitted. I believe I may say that not one considerable man has had any sentence whatever executed against him. One or two nameless and insignificant individuals have been put to death, whether on account of these massacres does not very clearly appear; but the chief agents have escaped with perfect impunity, and decorations and rewards have been given to many of them. And, finally, of those good Mohamedans, who at the hazard of their lives interfered in the interests of humanity and justice, every one has been either punished by dismissal, or else remains to this hour unrewarded.

In the first place, there is everything short of absolute proof that these massacres were originally designed? If they were not, why were the Bashi Bazouks employed for their suppression? Yet I do not mean to imply that the employment of the Regulars would have afforded a security against outrage. On the contrary, they committed on many occasions gross cruelty and outrage. Yet they were, on the whole, far behind the incredible fury and wickedness of the Bashi Bazouks. Again, why were the Mussulman population armed? There is no sufficient answer. There was war. Yes, but the war did not occur for two months after. There was a rebellion in the small province of Herzegovina. But there were Turkish troops there to deal with the rebellion. It was a wanton and wilful act on the part of Turkey to arm those irregular troops. The extraordinary excuse you find in some passages of those Blue Books is, that there were Russian agents who suggested it to the Turks in order to cause the massacres that ensued. There is no proof, I know, of such a suggestion: still such is the allegation. But even if that were the case, does that diminish the guilt of the Turk? Not by a single hair's-breadth. I admit that the question is wrapped in mystery, and that we can only judge of facts: but this we know—that after the massacres, and when the Turkish Government was well informed of them, they proceeded not to punish the perpetrators, but to imprison and hang more Bulgarians; and that when a stir began to be made in Europe, illusory inquiries were set on foot, and that from these inquiries there proceeded reports which it is idle to describe except in plain words as lying reports. They are described as lying reports by the Consul of the United States; and in language exactly equivalent, though rather more civil, by Mr. Baring and Sir Henry Elliot, as, I think, utterly untrustworthy reports. When the stir was made in this country and elsewhere, which Lord Derby says was got up, and did so much mischief, he wrote the despatch to which I have referred, and he now deplores the agitation which led him to write it. Well, what was done? A Commission was appointed with much solemn form; but

care was taken to pack that Commission, partly at the time and partly later on, with men considered safe. So, that while one or two good men were members of it, they should be always in a minority. The result is that, instead of affording redress, it has added infinitely to the disgrace of Turkey: by its delays, by violence, by obstruction, by intimidation, by what it has done, and by what it has not done; finally, by those acquittals which caused at last Mr. Baring's indignant withdrawal from a scene where he did not wish or could not bear longer to witness a prostitution of justice. Well, we know what has been done as to Shefket Pasha and the rest. Why is it that the offenders named in the Papers laid before us remain unpunished? It is because these miscreants possessed instructions to act as they did from persons still higher in the Ottoman Government. These persons in high places, it is now too plain, directed these outrages, for which a show was made in some instances of trying the perpetrators, and in other instances apologies were made for failure to apprehend them. Every portion of the conduct of Turkey in regard to these massacres possesses a dramatic unity and integrity. I make bold, without asking the House to hear the repetition of the numerous details, to say that I have myself demonstrated it, in a tract now before the world, and founded on the highest evidence. Follow it out. Examine it carefully. Everything comes home to the door of the Porte itself. Even if Shefket Pasha had been punished, why should the tool only be punished, and not also the hand that used it? And yet not only is not that the case, but we find Abdul Kerim, the man who gave him the instruction, appointed to the highest command of the Turkish Army now massed on the Danube. It seems almost idle to argue in the face of the evidence we have in reference to these cases; and the Blue Book just placed in our hands has added new horrors to those with which we were before but too abundantly supplied. It will be remembered that, as a refinement of wickedness unknown anywhere else in the world, Consul Schuyler charged upon Selim Effendi, who was employed in these inquiries, that he tortured prisoners in prison to compel them to give evidence of such a kind as suited his purpose. Selim Effendi addressed a letter to me, as I had referred to the charge, and said that it was very hard upon him to be made the subject of such an accusation, that all the proceedings in the Court were perfectly open, and that nothing of the kind could have, or had occurred. But the charge was not as to what had occurred in the Court; it related to what had occurred secretly in prison. He answered the charge which was not made, and passed by the charge that was made. In reply to his letter, which was perfectly becoming and courteous, I addressed a letter to him, and pointed out this fact; adding that he would doubtless answer the charge, which rested on the authority of Mr. Schuyler. Well, that was four months ago, and not another word have I heard from or of him.

We have, Sir, other cases of a most loathsome and revolting kind in the Blue Book that has been recently placed before us, as to which an English Vice Consul says, at page 46 of the Blue Book circulated May 5, that the evidence left him absolutely no room to doubt; and of these he gives the most painful and horrible details. I will not dwell upon them, but, as the volume is in the hands of Members, will spare them the pain. Suffice it to say that they were systematically carried on by Suleiman Aga. When the facts were made known, how was he punished? He was deprived of his sword for three days; and was then consoled by being retained in his office of Chief of Police, which he holds to this day. The Vice Consul gives an account which shows that these tortures were inflicted on the people, and especially on the priests, to make them give particular evidence.

Suffice it, Sir, on the whole, to say that the evidence, of which I have here given but a few points, when taken together, is conclusive. The outrages and massacres in Bulgaria were not the acts of the Bashi Bazouks, or the Regulars, or of the Mussulman population, except as mere instruments of the Porte. As instruments they are guilty, and as instruments alone. These massacres were not accident, they were not caprice, they were not passion. They were system, they were method, they were policy, they were principle. They were the things done in Damascus in 1860; and I may say that the Liberal Government of that day took up those massacres in a very

different manner from that in which Her Majesty's Government has proceeded; so that, under the pressure then exerted by the European Powers, the Porte was compelled to hang a Pasha. Like deeds were done also during the Greek Revolution; and again and again they will be done, until the Turkish Government finds that there is some adequate authority determined to say they shall not be done again.

If these things cannot be denied—and I know they cannot be denied—are we to continue this miserable farce—for so I must call it, since this it appears to have become—of expostulation? You do not expostulate with malefactors in your own country—you punish them. The Home Secretary would consider it a senseless proceeding to expostulate with a murderer, and ask him not to commit such a crime again; or even to protest against his committing it. But with respect to Turkey, we know exactly the the process, and how it is managed from beginning to end. When there occurs some crime or outrage, if there are not foreign agents near, no notice is taken of it, provided a Mohamedan be the guilty party. If it be a Christian, it is a very different matter. For example, you will find in these Papers an account of a Turkish boy who seriously wounded a Christian woman. She was pregnant, and she was seemingly about to die; but the report of the Consul is that unfortunately there was no law in the country by which the Turkish boy, being only a boy, could be punished. Would that apply to a Christian boy? In Miss Mackenzie's and Miss Irby's most sensible and dispassionate work, you will find an account of a struggle between a Turkish boy and a Christian boy. They fought desparately. The Christian boy fought in self-defence. They were both so much injured that they kept their beds for several weeks. The Turkish boy died, and what happened? There was plenty of law to be found then. The Christian boy was condemned to be hanged; and the Grand Vizier, who was travelling through the Province, delayed his departure in order to see him executed; and thus he gives the Christians a solemn warning of the consequences that would follow their resisting injury. One and the same lesson runs though all these transactions. "You rayahs are allowed not to enjoy life, but to live. Your tribute is the condition of your life. You must take your life on the conditions we name; and if you raise your hand—it may be to secure justice by force—you will be the subject of crimes and outrages which, whatever their nature may be, will become virtue and public service when committed for the sake of maintaining Ottoman dominion over the unbeliever whom he has a right to rule." What I have said may sound like exaggeration. It is no such thing. It is, I maintain, a plain matter-of-fact description of the way in which Turkish power has been maintained. Nay, more; it is the way in which alone this unnatural domination can be maintained, with ever-increasing difficulty, and upon occasion with ever-increasing horror, until the day of its doom shall come.

I pointed out last year that in the Autumn of 1875 a body of Herzegovinian refugees had been invited to go back to their homes. In an evil hour they accepted the invitation, and returned, escorted, as they had taken unusual precautions, by a force of Turkish Regular troops; but they were massacred by some of the Beys, their Mussulman landlords. In was done in the sight of the escort; and the escort raised not a finger in their defence. This was at a time when the Turkish Government and Mr. Consul Holmes were inviting the refugees to return home. The facts were made known to Lord Derby; he addressed to the proper authorities an indignant despatch, demanding that there should be an inquiry, followed by punishment of the offenders and redress to the injured persons. No further notice has, however, been taken of the matter. His despatch remains like water poured out upon the sand. There was probably a promise of inquiry; this is one of the usual shifts; and I may state, on the authority of Mr. Baring's last Report, that this is the uniform course pursued by the Turkish authorities.

What I want to know therefore is, whether we are to continue to make ourselves ridiculous, and at the same time utterly to delude the world by what the Government is pleased to call remonstrating upon these subjects. This matter grows worse and worse. We have in the Papers which were delivered to us two days back a new crop of horrors reported from Erzeroum, as having occurred no longer ago than on

the 14th of March. A body of troops went into a village and demanded food and money. Their demands were, of course, complied with. They then proceeded to maltreat the men, and to violate the woman and girls, several of whom died in consequence of the treatment to which they were subjected. On this occasion again an energetic telegram was despatched in the first instance. Afterwards Lord Derby spoke with bated breath, and desired that the attention of the Porte "might be called" to the matter. It mattered not a straw whether his language were strong or weak. It is the old story. As on the previous occasion, nothing came of his demand. My contention is that this conduct is not compatible with the decency of the case or with the honour of England; and that if no result is to follow upon communications of the kind to which I allude they ought not to be made. It is bad enough to say that you will take no notice of crimes such as those; but it is worse to notice them in a way which you know full well can produce no result, yet which deludes this country and the world by seeming to promise one, and by making a vain show of interest in the condition of the Christian subjects of the Porte.

Passing to the second of my Resolutions, let me refer to the daring assertion which has been made by the opponents of the subject-races, that the outrages have ceased. We have had no Papers given us for three months; and the Papers, which were circulated so lately as the day before yesterday, supply us with no recent intelligence upon the subject. I take, however, such rather stale intelligence as they do give. The only evidence which the Government has afforded to us on the point shows that up to the 20th of February last the same atrocious and horrible state of things, concerning which complaints had been previously made, continued in Bulgaria. In those Papers Mr. Baring states that the lives and property of Christians were scarcely safer at the end of February, than they were in May of last year. I ask the House, then, to support the Resolution which alleges that the Porte has lost all claim to our moral as well as our material support.

Shall I be told, that we have withdrawn from Turkey our moral as well as our material support? This is a point at present very doubtful, which ought to be made clear. It is true that we have denounced the perpetrators of these outrages. I say we have denounced the wrong people. These perpetrators were only tools. That there were tools only, is demonstrated by the fact that they remain unpunished, free, rewarded, decorated. Why is this? Because they acted in obedience to orders—written orders in some cases — and from the highest authorities. I have spoken of Abdul Kerim; but unless other high personages are very much calumniated, they too are implicated in the guilt of these proceedings. Assuredly, no name is more odious than the name of Midhat Pasha to the Christians of Bulgaria. There is in Turkey an admittedly intolerable Government. Has it improved during the last quarter of a century? I am responsible for one, for having then believed, on the great authority of Lord Palmerston, and on the even higher authority of Lord Stratford de Redcliffe, with his large experience of the Porte, that its Government might be improved. Some men, with deeper insight than that possessed at the time by any politician, knew that the case was hopeless. A quarter of a century ago, however, we thought that we ought not to despair of the improvement of Turkey, as long as a ray of hope remained. Since then a time surely sufficient for trial has elapsed, during which perfect peace has been secured for Turkey from without, and she has had no evils or mischiefs to deal with, except those provoked and promoted by her own gross and monstrous misgovernment. But have things improved in Turkey in that period? I believe that, upon the whole, instead of improving, they have become worse. I do not, of course, question the local improvements, which have been the result of an increase in the number of Consuls and Foreign Agents; because wherever a Consul or a Foreign Agent resides there is usually a little precinct formed, within which comparative security is enjoyed. Nor do I doubt that here and there some partial, indecisive measures have been adopted for the purpose of putting into execution a portion of the promises of the Porte. But since 1854 there has been in Turkey a great increase in the centralization of the Ottoman system, and in the taxation; and a multiplication of the agents of the Government in the persons of

those whom it is a mockery to call police. The result has been that there has been an aggravation of Mohamedan as well as Christian grievances; and there is far more discontent among the Mussulman inhabitants of Turkey now, than existed a quarter of a century ago. Mr. Baring, in referring to the Turkish police, states that they are little or no better than organized bands of brigands. But this Force, which is one of the greatest curses of the country, is a Force which does not belong to the older Ottoman system. Again, of late, Turkey has acquired a passion for a National Debt, for large standing armies, for iron-clad fleets, and for improved arms; and the result has been that a great increase of revenue was necessary. It has been raised in a disproportionate degree from the Christian Slav Provinces, and it is this endeavour to obtain an enormous revenue which has been one of the greatest curses of the country. [The CHANCELLOR of the EXCHEQUER: Hear, hear!] The right hon. Gentleman cheers that statement. But what remedy is he prepared to propose for this state of things? Why, he is prepared to look on and to expostulate. I say that it is better, it is more honest, not to look on, and to withhold this expostulation, rather than to profess our interest and to pursue a method such as the one now in use. And here I may, perhaps, be allowed to offer a suggestion to the right hon. Gentleman. Why should he not prepare printed forms of expostulation? There might be blanks for the number of villages burnt, for the number of men killed, and for the number of women violated; and there ought to be another blank to be filled up as occasion required by the word "expostulate," or "represent," or "regret," or, if necessary, "protest." This would save a considerable amount of labour at the Foreign Office, and the Chancellor of the Exchequer, as the sovereign guardian of the public purse, might really, by the simple means that I suggest, effect some reduction in the cost of that establishment. This is a sorry subject on which to jest. But it is the Government who have made a sorry jest of a matter in itself very solemn. It is a sorry jest constantly to reiterate expostulations of this character with the knowledge founded on long experience, that as a general rule they will work without being followed by any result. The Porte, which well understands the force of words, knows that our expostulations begin in words and that they end in words; and it is time that the people of England and the people of Turkish Christian Provinces should begin to understand as much.

It appears to me that if Her Majesty's Government desired really to pursue an effective policy, they should have gone further than I have yet indicated; but they would have done a great deal if they had gone as far as I have hitherto suggested. They would have conveyed an amount of confidence to the minds of the people of this country which they are now very far from feeling.

But, Sir, in my opinion, a just denunciation of outrages which former events had placed within our cognizance, and a real, not an equivocal withdrawal of support from Turkey, though they are more than we can yet be sure of having obtained, are very far from filling up the measure of our duties and our honourable obligations. I argue that we ought to use our influence in the great Council of Europe for the effectual deliverance of these Provinces from oppression, but not for their transfer to any foreign dominion. Now, it is a foreign agency, not under our control, to which we have chosen to make over the fulfilment of engagements which are ours. I must, therefore, consider our relation to that foreign Power. We need entertain no fear at all that the action of Russia in the present effort will endanger British interests. Russia is not mad enough to touch British interests in the execution of the purpose she has in hand. We have, however, given Russia a magnificent opportunity, of which she can avail herself, to plead truly that what she asks is what Europe asks; and the difference between her and other nations is that they are content to put up with, and she is not content to put up with, Turkey's infatuated refusal to give securities for the improvement of her Government. You may say that she is pursuing selfish objects; but, if that be true, that is an additional condemnation of your policy, because if she was untrustworthy, why did you leave her to act alone and unrestrained in accomplishing this work? I had hoped that Her Majesty's Government might even have been disposed to

have accompanied me thus far, and that we might all look forward to the establishment in these Provinces of local self-government and local liberty, and so saving them from transfer to any other foreign dominion. In this, as in other hopes, I am baffled; and instead of a wise co-operation in the endeavour to effect a great good, I am called upon to consider the misdeeds of Russia. We are told that Russia has been guilty of the greatest cruelties in Poland. I hear hon. Members opposite cheering that statement; but no cheers came from that quarter of the House when, at the time those cruelties were being committed in Poland, remonstrances against them were moved from this side of the House. I put aside, for the present, cases in which the tongue of calumny has been busy, or cases in which there may be a doubt about the facts. Apart from such cases, there have been at least two occasions on which, in my view, the conduct of that Power cannot be defended. The first occasion was when the Emperor Nicholas took up arms to put down by force Hungarian liberties—the liberties of those Hungarians who, at the time, were very anxious to interest the world in their own affairs, but who do not now appear desirous of extending those liberties to others; a fact which, had we known at the time it was to occur, might have somewhat modified our feelings in their favour. The claims of those Hungarians, however, were at the time just, and we thought that the proceedings of the Emperor of Russia, who lent to Austria the effectual aid of his armies in suppressing them, were unjust and unwarrantable; but I never heard any objection to his conduct proceed from hon. Members opposite. Again, as to Poland, I remember that as late as during the second Government of Lord Palmerston, a Motion was made by Mr. Horsman on the subject of the proceedings of Russia in Poland, but Mr. Horsman was not one of the Party who sat opposite; on the contrary, he was a Gentleman who on all questions of foreign policy expressed the strongest Liberal opinions, and the support which his Motion received proceeded almost wholly from this side of the House. One word with regard to the Papers which have just been laid upon the Table of the House with reference to the misdeeds of the Russians in Poland. That Paper purports to be presented by command of Her Majesty, which means that it has been presented at the instance of Her Majesty's Government. [Sir H. Drummond Wolff: By command of Her Majesty, in pursuance of an Address.] [Lord John Manners: It was moved for from the opposite side of the House.] I have no doubt it was moved for from the "opposite" side of the House; my hon. Friends on this side of the House have always been desirous of exhibiting the cruelty in Poland; but the disposition of the Government and their Friends to hold up to reprobation the cruelty in Poland, appears to me to be of much more recent origin. Now, Sir, for my own part, I rejoice in the fact that the misdeeds of a Government should come to light, come how they may; but I think this mode of proceeding was eminently a shabby mode. You produce the misdeeds of other Governments; do you produce your own? Will you lay on the Table a detail of the proceedings by which the Mutiny was suppressed in India? I cannot recollect a more distinctly culpable proceeding on the part of any country than the slaughter of the Dyaks by Her Majesty's naval Forces, and by Sir James Brooke. But that evil act was discussed, vindicated, and approved in this House. I will give you another case. There is an official Report of my own in the Colonial Office, rendered in 1858-9, when Lord Carnarvon was Under Secretary, which sets forth the proceedings of the British Government in Cephalonia, at a time when a predial rising had taken place. It was a serious predial rising, which official panic or the selfish alarms of a class magnified into a rebellion. As such it was insignificant, almost ludicrous. But martial law was maintained in the island for six weeks. I believe one of our soldiers was wounded. A score of the people were shot, and many scores were flogged, and the punishment of flogging is one viewed by the Greek population, as I have often been assured, with a horror even greater than capital punishment. Will you lay that Report on the Table? What is the meaning of producing charges against other countries when you are not prepared to produce your own? [An hon. Member: The Cephalonian Report, I think, has been laid on the Table.] I think not, I must

have known of it. And I proceed with my general argument.

One of my greatest objections to the policy of Her Majesty's Government has always been, since we began to attend to it at the end of last July, that it tends so extravagantly to facilitate the execution of the most selfish aims that Russia could possibly entertain, and to enhance her influence and her power. It is a tremendous thing to infuse into the mind of the Christian subjects of the Porte the conviction that they have no other hope, no other ally, but Russia. It is hardly possible to dispute that that has been the effect of the policy of Her Majesty's Government. That the misgovernment of the Slav Provinces should cease is my first and great object, but I confess it would be with qualified satisfaction, although with a real satisfaction, that I should hear of the cessation of that misgovernment, unless I felt that a healthy growth of local liberty would come into the place of the abominations now afflicting these Provinces. I had hoped that something might be obtained from the Government with reference to the first and second—and even perhaps the third — Resolutions, which would have enabled me to avoid trespassing at so much length on the indulgence of the House. With regard, however, to the fourth Resolution, I was absolutely hopeless. I admit that it challenges the course of the Government, and suggests another course. If you wish, for the sake of humanity, for the sake of the peace of Europe, for the sake of the obligations this country has incurred, to close the Eastern Question, it cannot be satisfactorily done except by action which shall be both united and real. And my complaint against Her Majesty's Government is, that whenever they have seemed to concur in promoting united action it has always been done under conditions which have made that united action useless and even visionary. Do not let me conceal my own belief. I have in my fourth Resolution expressed the strong opinion I entertain—namely, that the policy of 1826 and 1827 was a wise and just policy. But that was a policy that had no more the approval of what I may call the West-end of London, than the Christian cause has now. That portion of England does not express the true sentiments of England. Looking over all the great achievements that have made the last half-century illustrious, not one of them would have been effected if the opinions of the West-end of London had prevailed. The Test Act would not have been repealed. Parliament would not have been reformed. Slavery would not have been abolished. Municipal Corporations would not have been opened. The Corn Laws would not have been repealed; nor Free Trade established; nor the Tariff reduced to a few lines; nor the Navigation Laws done away; nor the Universities opened; nor the Church of Ireland disestablished; nor the Land Tenures of that country re-enacted. I might extend this long list. I regard it with sorrow and misgiving that the nation has ever been in advance of those who ought to have been its leaders. But the fact being so, I cannot relax my efforts in this cause out of deference to the opinion of what I have called the West-end of London.

But then I am told that there has been, in relation to this question, inaction on the part of Liberal Governments. Now, Sir, this is a subject much too wide to be disposed of by a taunt, or by any incidental remark. It is a question of history; and if a Motion were made for a complete inquiry into the conduct of all Governments since the Crimean War with regard to this great question, I, for one, would not object to it. In my opinion, it is totally impossible for any man or for any Government in Western Europe to raise the Turkish Question, simply of his or their own motion. How was it possible for us during the Franco-German struggle, or during the protracted controversy that resulted in the Geneva Arbitration, to raise the Turkish Question? Nay, even if we had been more free, there were no events in Turkey on which we could take our stand. There was, so to speak, no point of departure. There was no revolt of which we could examine the cause; there were no massacres of which we could expose the guilt. In 1860 massacres did occur in Syria, which may be partially compared with the massacres in Bulgaria in 1876. A Liberal Government was then in office; and observe the very different course pursued by that Government. Whether we had been wise and right in all things I know not. I am by no means prepared to claim for us off-hand a sen-

tence of universal acquittal; but this I know, that at a very early date, in the affair of the Lebanon, Lord Russell wrote a letter in which he positively announced that a British squadron would be sent to the coast of Syria, and that if necessary marines would be landed. At the same time France declared her intention of sending troops to Syria. We heard nothing then about fears of provoking Turkish valour to desperation by these rather decided methods. On the 28th of July Lord Russell said that the remaining points, which were of essential importance, appeared to be to obtain the assent of the Porte to the intervention of foreign troops, and the fixing of a time for the intervention of those troops, to cease. On that the consent of Turkey was given, and the foreign intervention did take place. And how was the consent of Turkey given? It was given in a Conference by Safvet Pasha, on the 27th of August, and in terms which were very remarkable. You might have had just the same terms now if you had chosen to seek them in the same manner. They are these—

"It is owing to the counsels of the Representatives of the Powers, and the vision held out to us of foreign troops landing on our territories, notwithstanding the refusal which we should have given to the conclusion of the Convention, that we have been reduced to choose the lesser of two evils."

The consent of the Turkish Government was obtained; but it was given in view of this—that they had before them the vision of foreign troops landed in Syria, notwithstanding their refusal, and they were reduced to the choice of the lesser of two evils. I ask for a comparison between our course throughout in the matter of the Lebanon, and the course of the existing Government since the Autumn of 1875. I might refer to other matters; but I will not now pursue the subject.

I will next say a few words only on the nature of our obligations in this particular case. It is much too late, in my opinion, to argue whether we are bound to take up the case of the Christians in Turkey or not. We might have argued that question before the Crimean War. But in the Crimean War we did two things; and I must repeat the challenge I have made to the Government with regard to those two things, for they are of vital importance in this great controversy. The first was, that we abolished the power of interference which previously existed, and which was lodged in the hands of Russia. The Chancellor of the Exchequer and the Secretary of State for War have told me that they do not admit that such a power of interference existed. I think it is possible that they may have misunderstood my statement; because I am quite certain that if they hold that proposition in the terms I have just stated, they are holding it in the face of history and of law as recognized in Europe for a hundred years. They may have understood me to say that Russia had, by the Treaty of Kainardji, a Protectorate over the Christians. Now, I admit that she had no Protectorate over the Christians. A Protectorate is a scheme involving direct and positive powers. She had no such powers in regard to the Christians in Turkey generally. What she had was this—a stipulation from the Porte that the Porte should firmly protect the Christian religion and its churches. Of that stipulation she had a right to require the fulfilment, as well as of every other stipulation in her Treaties. There is not the least doubt that it is a distinct stipulation. To set up the doctrine that this distinct and substantive stipulation is a mere Preamble, that it is absorbed in the latter part of the Article, is really little less than ridiculous. The latter part of the Article is separated from the earlier part by the Italian word which can only be translated by "furthermore," or "moreover," or some equivalent. Russia had a covenant with the Porte for the protection of those churches, and she had the same right to require its fulfilment as she had with respect to every other covenant in the Treaty. That, I say, cannot be doubted. Now, let us look at the opinions upon this point. I quoted the other day the opinion of the standard historian of the Turkish Empire—Von Hammer. He expressed the general historical judgment of the world on this point. But, if you want a legal opinion, I will quote that of Bluntschli, who is, I observe, considered as the highest authority as a jurist at present living on the Continent of Europe. He says—

"In the consciousness of this duty and of this right, Europe has repeatedly intervened in Turkey as well as before as after 1856. First of all, Russia made a claim to a sole protection

of the Greek Christians, and obtained the establishment of it from Turkey by Treaty in 1772 and 1812."

There is the opinion of Bluntschli. It is not a controversial opinion; he states it as a notorious fact, in a matter which has never been contested. I am responsible for the translation; but the words "obtained the establishment of it," I believe, fairly represent the words of the original. Since I spoke before on the matter, I have referred to the authority of Sir Robert Phillimore, and I find in him what I expected. I have had the honour of his friendship for half a century, and I did not open this question without having consulted him. He has entered into an argument to show that Russia did not possess by the Treaty of Kainardji the claim which was made at the time of the Crimean War. In that we are all agreed. But Sir Robert Phillimore has never denied that this stipulation for protection in the Treaty of Kainardji was a binding stipulation; that Russia had a right to require it to be carried into execution, and a right to interfere with Turkey on a breach of it, just as she had in regard to any other part of the Treaty. As far as I know, opinions are not at variance on this point, unless, indeed, it is intended by the present Government to set up in 1877 a construction never heard of for over 100 years after the Treaty was concluded.

In such a matter, without doubt, we cannot omit to refer to the Blue Books of 1854. I must own it has not been in my power to read through the whole of those Blue Books—or rather to re-read them, for I was pretty well familiar with them at a former period—and, therefore, it is possible some assertion may be found in some part of them which more or less expresses the opinion that appears now to be maintained by the Government. Yet I think not so, because I have looked over them as well as I could, and because I find what seems to me a most distinct declaration on the part of Lord Clarendon, that some right of that kind on the part of Russia was acknowledged by us. I recollect myself, taking my memory for what it is worth, that this was distinctly our position in the controversy. We held that Russia misconstrued the Treaty, and overstated her right; we never, I believe, denied that she had some right; and accordingly, I find, also, in Book No. 1, that on May 26th, 1853, Baron Brunnow sends in a Memorandum, in which he speaks of the engagements of the Porte, dating from the Treaty of Kainardji, as granting to the Orthodox Church that freedom of worship, that tranquility of conscience, and that peaceable possession of rights which Russia could never cease to watch over. In the same book, on the 21st of June, Lord Clarendon, says in reply, on the part of the Government, that on the basis of Baron Brunnow's Memorandum, a complete and satisfactory arrangement might have been concluded without compromising the dignity of the Emperor. I think, then, I have made my demonstration complete; and, if so, the case stand thus—That there was a Treaty engagement, under which Russia was entitled to require from the Porte a protection of the Christians, and to resent it against the Porte as a national wrong if she did not protect them. That right was entirely destroyed and swept away by the Crimean War, through the expenditure of our blood and treasure, and of the blood and treasure of our Allies; and we could not thus sweep that right away, in my opinion, without becoming responsible for the consequences; without being as solemnly bound as men can be bound in faith and honour to take care that those, for whose protection it was intended, should obtain either the same thing or something better in its place. But, besides all I have now said, and even independently of this, as I believe, perfectly irrefragable argument, what was the case of the Crimean War on the very face of it as a dry matter-of-fact? It was this —That Turkey was about to be engaged in a contest of which the probable result was her defeat. I apprehend there was no doubt of that. It was probable she would be defeated. We intervened to prevent that defeat. We, together with our Allies, gave her a new lease of her existence; we gave her resources; we gave her the strength, of which she has been making such frightful use in Bulgaria. And now is it possible for us, on any principles, I care not what, which will bear to be stated in the face of day, so to put out of view the obligations, which our honour entails on us, as to say—"We wash our hands of this business, and will have nothing to do

with it?" Much more, how can we say —"We will consent to pay delicate attentions to the Government of Turkey, and to be affording her in a thousand indirect forms moral assistance"—which in many instances is apt to glide into material assistance—"against any nation which may attempt to carry into effect the judgment of united Europe?"

I hope I have made pretty clear the state of the case, as it bears upon the third and fourth Resolutions. I have pursued not the best tactics, perhaps—for I am, perhaps, no great tactician—but the best tactics in my power. Very simple they have been. They have consisted in attempting to obtain the assertion, by as many as possible, of what was valuable in itself, even although it was not the whole of what seemed to me valuable or even essential. On that account I ranged my Resolutions in the order in which they stand; and when I found myself threatened with extinction by the somewhat rude machinery of the Previous Question, so that a free and unfettered discussion, even of the first Resolution, was to be rendered impossible, I came readily to the conclusion that it would not be expedient or becoming for me to ask you, Sir, to go through the idle form of putting each of them in succession from the Chair, with the certainty of obtaining a decision that they should not be put. But I am bound to say that to the whole of these Resolutions I, as an individual, steadfastly adhere. I ask no sanction from my noble Friend near me (the Marquess of Hartington) for anything except that for which he votes. I think it would be the meanest and paltriest act on my part to endeavour to crib from him some indirect support for that which he is not prepared to support overtly. I really know not on what grounds he is not willing to accompany me in the whole of these Resolutions. I would thankfully accept his aid, as I would the aid of the Government, for I think the union of the English people in this great matter is an object of the highest importance. There is not one of you opposite who can more deeply deplore than I do the use of the rude irregular methods to which we have been driven in order to exercise an influence upon the foreign policy of the country. I look upon these methods as, at the best, unsatisfactory and imperfect; I look upon them, in every case, except the case of necessity, as vicious and bad. It has been that necessity alone which has driven us to the point at which we stand to-night. For my part, I think no day of peace likely to come for the East, no final or satisfactory settlement, unless it be by the authority of united Europe. I see the hon. and learned Gentleman the Attorney General has been complaining of violent language, and of the imputation of motives on my part. He is, I suppose, on the way to high judicial office, and from one in his position, as compared with other Members of this House, I have a right to expect something more than the average share of judicial temper. But what said he to his constituents? I have never imputed motives to the Government. I have never said they were governed by love of power. I should have been ashamed of such a statement. I cannot, indeed, account for their conduct, except by the supposition of some singular delusion, or some sinister influence which they do not themselves understand, and are not conscious of, so strange does it appear to me. But never have I imputed to them motives inconsistent with their perfect honour. Yet what says the hon. and learned Gentleman. He goes to his constituents, and to them he announces that I have entered into a warfare against the Government, animated by a vindictive malignity founded on my exclusion from office. ["Oh, oh!"] These are the judicial words of the hon. and learned Gentleman. I am glad he has come into his place. It gives me the opportunity of expressing a hope that when he resigns that place for one more permanent, more dignified, and more enjoyable, he will proceed in a different spirit to deal with the suitors, and even with the culprits, who may be brought before him. No, Sir, I impute no motives. If a word I have said seems to convey them, I disclaim it, and in a moment I would wash it away; but I believe no such word has passed my lips. It is a great crisis, Sir, in which we stand. Legislative Bodies are at all times occupied, more or less, in the making of history, and it is a very grave passage of history which we are now engaged in making. Sir, there is before us not one controversy, but two. There is the controversy between Russia and Turkey; there is the controversy

between Turkey and her revolted subjects. I think the Government and their supporters out-of-doors in the Press are committing a great error in this—that it is the first of these two controversies—that between Russia and Turkey, which, after all, is only symptomatic—to which they address their minds. In my opinion, the other is the deeper and more important. The other is a controversy which can have no issue but one, and I do not hesitate to say that the cause of the revolted subjects of Turkey against their oppressors is as holy a cause as ever animated the breast, or as ever stirred the hand of man. Sir, what part are we to play in regard to it? Looking at this latter controversy—the controversy between Turkey and her subjects—the horrible massacres of last year, the proofs of which have been afforded that they are only parts and indications of a system; that their recurrence is to be expected, nay, that it is a matter of moral certainty, if they are now allowed to pass with impunity; looking at the total want of result from Lord Derby's efforts, at that mockery which has been cast in our teeth in return for what I quite admit was upon ordinary rules and principles an insulting despatch, can we, Sir, say, with regard to this great battle of freedom against oppression which is now going on, which has been renewed from time to time, and for which one-third of the population of Bosnia and Herzegovina are at this moment not only suffering exile; but, terrible to say, are upon the very verge of absolute starvation; upon which depends the fate of millions of the subject-races that inhabit the Turkish Empire—can we, with all this before us, be content with what I will call a vigorous array of remonstrances?—well intended, I grant, but without result, as expressing the policy and satisfying the obligations of this great country. Can we, I say, looking upon this battle, lay our hands upon our hearts and, in the face of God and man, say with respect to it—"We have well and sufficiently performed our part?" Sir, there were other days, when England was the hope of freedom. Wherever in the world a high aspiration was entertained, or a noble blow was struck, it was to England that the eyes of the oppressed were always turned—to this favourite, this darling home of so much privilege and so much happiness, where the people that had built up a noble edifice for themselves would, it was well known, be ready to do what in them lay to secure the benefit of the same inestimable boon for others. You talk to me of the established tradition and policy in regard to Turkey. I appeal to an established tradition, older, wider, nobler far—a tradition not which disregards British interests, but which teaches you to seek the promotion of those interests in obeying the dictates of honour and of justice. And, Sir, what is to be the end of this? Are we to dress up the fantastic ideas some people entertain about this policy, and that policy in the garb of British interests, and then, with a new and base idolatry, to fall down and worship them? Or are we to look, not at the sentiment, but at the hard facts of the case, which Lord Derby told us 15 years ago—namely, that it is the populations of those countries that will ultimately possess them—that will ultimately determine their abiding condition? It is to this fact, this law, that we should look. There is now before the world a glorious prize. A portion of those as yet unhappy people are still making an effort to retrieve what they have lost so long, but have not ceased to love and to desire. I speak of those in Bosnia and Herzegovina. Another portion—a band of heroes such as the world has rarely seen—stand on the rocks of Montenegro, and are ready now, as they have ever been during the 400 years of their exile from their fertile plains, to sweep down from their fastnesses and meet the Turks at any odds for the re-establishment of justice and of peace in those countries. Another portion still, the 5,000,000 of Bulgarians, cowed and beaten down to the ground, hardly venturing to look upwards, even to their Father in heaven, have extended their hands to you; they have sent you their petition, they have prayed for your help and protection. They have told you that they do not seek alliance with Russia, or with any foreign Power, but that they seek to be delivered from an intolerable burden of woe and shame. That burden of woe and shame—the greatest that exists on God's earth—is one that we thought united Europe was about to remove; that in the Protocol united Europe was pledged to remove; but to removing which, for the present, you seem to have no efficacious

[*First Night.*]

means of offering even the smallest practical contribution. But, Sir, the removal of that load of woe and shame is a great and noble prize. It is a prize well worth competing for. It is not yet too late to try to win it. I believe there are men in the Cabinet who would try to win it, if they were free to act on their own beliefs and aspirations. It is not yet too late, I say, to become competitors for that prize; but be assured that whether you mean to claim for yourselves even a single leaf in that immortal chaplet of renown, which will be the reward of true labour in that cause, or whether you turn your backs upon that cause and your own duty, I believe, for one, that the knell of Turkish tyranny in those Provinces has sounded. So far as human eye can judge, it is about to be destroyed. The destruction may not come in the way, or by the means that we should choose; but come this boon from what hands it may, it will be a noble boon, and as a noble boon will gladly be accepted by Christendom and the world.

The right hon. Gentleman concluded by moving the first of the Resolutions of which he had given Notice.

Motion made, and Question proposed,

"That this House finds just cause of dissatisfaction and complaint in the conduct of the Ottoman Porte with regard to the Despatch written by the Earl of Derby on the 21st day of September 1876, and relating to the massacres in Bulgaria."—(*Mr. Gladstone.*)

SIR H. DRUMMOND WOLFF, in rising to move an Amendment to the Motion, said, he understood the right hon. Gentleman the Member for Greenwich had begun by alluding to some transactions which had taken place in the borough which he (Sir H. Drummond Wolff) had the honour to represent, and had stated that he had at a meeting last year expressed sentiments which justified the Resolutions then before the House. He was sure the right hon. Gentleman was not desirous of misrepresenting him; but he certainly had done so, when he had referred to this newspaper account without reading any extracts. He begged, therefore, permission of the House to make a personal explanation. On the 7th of September last year, either the very day, or just before the right hon. Gentleman's pamphlet was published, he was asked to attend what was called an atrocity meeting at Christchurch, and he found that two or three local gentlemen, Liberals, wished to advocate the establishment of an independent kingdom in Bulgaria. He had, therefore, written to say that he deplored the atrocities that had taken place in the Balkan Provinces; that it was sufficient to protest against the horrors which had taken place; and that all that could be done was to determine, as far as our influence went, that they should not recur; but that he could not join in any political demonstration on the subject of the future government of those Provinces. While concurring in the first part of the Resolution to be submitted to the meeting, he had taken exception to the latter part, because a public meeting was not capable of entering into the details of negotiations which could only be settled by statesmen after quiet consideration. In those circumstances he attended the meeting, and, according to the report in *The Times* of the next morning, he began his address on that occasion by expressing the hope that they would be unanimous, as they were not met for a Party purpose, but to deplore the atrocities and the misgovernment of the Turkish Provinces, for which they desired an effectual remedy, though they could not say what it was to be. They had all, at different times, deplored these atrocities, and they did so now; but they said they were not to be remedied by any arbitrary or violent action on the part of this country. The right hon. Gentleman had then stated that he (Sir H. Drummond Wolff) had been requested by another meeting to support the Resolution before the House. He would read a letter he had received that afternoon, to show how erroneous was the statement of the right hon. Gentleman, and how these meetings had been got up by hon. Gentlemen below the Gangway opposite. His correspondent said—

"I am told that a day or two before circulars were issued to the leading Liberals, asking them to attend and bring as many friends as possible, and up to mid-day on Friday it was spoken of as a meeting of Liberals. On Friday afternoon, however, a few bills were posted that a public meeting would be held, &c.; subject, 'The Eastern Question.' The meeting was, of course, a packed one, and they passed all their resolutions. Mr. Davey was then supported by all the Dissenting ministers. I hear that two or three waggon loads of people came from Milton, outside the borough."

Having disposed of that which was merely a personal question, and one scarcely consistent with the dignity of the right hon. Gentleman to have brought forward, he would venture to submit to the House his reasons for moving the Amendment, with which he should conclude. First, he moved that Amendment, because he thought any discussion in that House at the present moment on the Eastern Question highly dangerous, and that the best mode of disposing of the matter would be by the Previous Question, so as to show to the world in general, and to the public of this country, that the House of Commons was not inclined in any way by public discussion to embarrass the future action of the Government. The crude manner in which the hon. Member for East Cumberland (Mr. C. W. Howard) had given Notice of the Resolutions of the right hon. Gentleman showed that a Motion would be brought forward relative to the prospective policy of Her Majesty's Government. Now, he was not aware that such a Motion had ever been brought forward in that House. They might condemn the past or the present; but a condemnation of a course to be pursued, which must be guided by contingencies as they arose would, not only by that House, but by any assembly of business men, be rejected and repudiated. He had always advocated the right of intervention on the part of this country established by the Treaty of 1856, and his advocacy was not founded on the substitution of the right of Europe for the rights of Russia, but on the few words, the "concert of Europe," which gave this country and Europe a right of intervention in the affairs of Turkey, or any other country, when they were dangerous to the peace of its neighbours. He had, therefore, last year pressed on the Government for an intervention. He had pressed Her Majesty's Government again on the Motion brought forward by the hon. Member for Portsmouth (Mr. Bruce), and, on another occasion, had asked the Prime Minister, whether the time had not arrived to intervene by means of a Congress, or, if necessary, a Commission, on the affairs of Turkey; and he urged upon the Government that a Conference was necessary. But, while doing so, he never contemplated or suggested in any way the authorization of the idea that England should act alone, or without the assistance of her Allies, and of those who with her had signed the Treaty of Paris. The right hon. Gentleman rather took credit for the way in which Liberal Governments had acted towards Turkey; but their conduct was one of the principal reasons for objecting to the Motion, for it was owing to the action of several Liberal Governments in regard to the misgovernment of the Turkish Provinces that it was impossible for any Government to take any other steps now than those which had been taken. With great self-glorification the right hon. Gentleman referred to the action of the Government of Lord Palmerston in 1860 with regard to Syria. But what was the position? In 1856 the Treaty of Paris was signed; in 1857 occurred the Indian Mutiny; in 1858 and 1859 nothing occurred in Turkey, and the Conservatives came into office. In the latter year, after the Liberal Government had come in, they had intervened in the affairs of Syria, and he gave them credit for so doing. But Syria was not in Europe; it was not surrounded by States of the same nationality and the same religion; it was entirely isolated from Europe; it was feasible for the Powers to delegate one of their number to send a Force there without any danger of the occupation becoming permanent. But the right hon. Gentleman had taken good care not to refer to what had occurred subsequently; for in 1862 and 1863 disturbances had occurred in Servia, Herzegovina, and Montenegro, and what had the Government of that day done? Why Lord Russell, as the organ of the Government of which the right hon. Gentleman was a leading Member, wrote a despatch to the Powers who signed the Treaty of Paris, in which he denounced those disturbances as the result of scarcely-concealed conspiracies in those Provinces to bring about anarchy, plunder, and bloodshed, and declared that it was incumbent on the Powers of Europe to preserve the general peace in words almost identical with those which had been most properly used by the Government of the present day. The right hon. Gentleman now spoke strongly of the Government having announced before the Conference of Constantinople that there was to be no coercion; but in 1869, when he was the head of a Government with a majority far greater than

that of the present Government, Lord Clarendon authorized a Conference to be held at Paris on the affairs of Crete, and, under circumstances almost analogous to the present. Then the right hon. Gentleman, through his Foreign Secretary, not only repudiated coercion, but told the now revolted Provinces that they were not to anticipate any encouragement if they followed the example of Crete. On that occasion Lord Clarendon, writing to Lord Lyons on January 5, 1869, said—

"Her Majesty's Government, anxious to avert the occurrence of events that might threaten the maintenance of peace, and convinced that this feeling is shared by every other Power, thinks that by laying down in distinct terms certain principles of public morality and of International Law, the Conference may give, though indirectly, a clear and unmistakeable warning to other Provinces, where there is reason to apprehend that insurrectionary movements against the authority of the Porte might find encouragement, that the Great Powers of Europe would view with the strongest disapproval any unwarrantable proceedings on the part of such Provinces inconsistent with the principles so laid down by the Conference."

Yet now the House was invited to acquiesce in these violent Resolutions of the right hon. Gentleman. There was another occasion on which the right hon. Gentleman had the opportunity of showing sympathy with the Christians of Turkey; but which he did not take advantage of. In 1871 the signataries of the Treaty of Paris were invited to make the state of the Christian subjects of the Porte a *casus belli*. What said Lord Enfield in that House in answer to Sir John Gray?—"That the state of the Christian subjects of the Porte was improved." Yet a Report had been laid on the Table that day which showed that 20 days before that reply of Lord Enfield was given, a despatch had been received from Consul Holmes, in which it was said that the state of things had in no way improved. Consul Holmes, writing from Bosna Serai, on February 24, 1871, said—

"The unnecessary delay and neglect, to the prejudice often of innocent persons, the open bribery and corruption, the invariable and unjust favour shown to Mussulmans in all cases between Turks and Christians, which distinguish the Turkish administration of what is called 'justice,' throughout the Empire cannot fail to suggest the question—what would be the lot of foreigners in Turkey were the European Powers to give up the capitulations? I am convinced that their position in the Provinces, at all events, would be intolerable, and that they would quit the country to a man, while the outcry and feeling in Europe against Turkey would ultimately cause her ruin. The universal ignorance, corruption, and fanaticism of all classes precludes all hope of an efficient administration of justice for at least another generation."

In the face of that despatch the Government of the right hon. Gentleman in 1871 gave the improved state of Turkey and of its Christian subjects as a reason for strengthening the hands of Turkey against Russia and the other Powers of Europe. There was a second reason why he objected to the Resolutions of the right hon. Gentleman—namely, that from first to last, both in his Resolutions and in his speeches in the country, he had tried to make them the subservient supporters of the policy of Russia. He charged the Conservative Party with wanting war, but it was the right hon. Gentleman himself who advocated war. Not a syllable had he uttered that night but what meant war against Turkey with the European concert which he had devised in his own head, but which the Papers before the House showed was utterly impossible for that purpose. In speaking in favour of Russia he had urged that night, as he had done on two previous occasions, that the Crimean War having abolished the Treaty rights of Russia, and especially those said to be obtained under the Treaty of Kainardji, we were bound to assume the position which Russia had occupied previous to the Crimean War under that Treaty. On a former occasion the hon. Member for Canterbury (Mr. Butler-Johnstone) took issue with the right hon. Gentleman with reference to the Treaty of Kainardji; he therefore would not refer to the text of the Treaty, but would confine himself to showing that the right hon. Gentleman was utterly incorrect in the view he had taken of it. He preferred citing written and published documents to any language he could himself use. What was the interpretation put on that Treaty by Count Nesselrode? Count Nesselrode, writing to Sir Hamilton Seymour, dated St. Petersburg, June 14th (26), 1853, said—

"As to the Treaty of Kainardji, it is very true if taken by the letter, that the rights and privileges of the Greek religion are not mentioned in express terms, but the protection given to the religion and to its churches well implies to the eyes of every man of sense and good

faith that of the rights and privileges of the said churches. From the moment the Sultan undertook towards us to protect them he thus conferred on us the right to watch over the manner in which he would fulfil that engagement."

That was the pretension which was combated by the Crimean War. He would put it to the right hon. Gentleman whether he was not a party to the Memorandum which, in 1854, was submitted to Russia by the Plenipotentiaries of Austria, France, and Great Britain. The Conference was held at Vienna, and that document was sent as the basis of the Conference at which Lord John Russell was our Plenipotentiary to Prince Gortchakoff on the 28th of December, 1854. It said—

"Russia, in renouncing the pretension to cover with an official Protectorate the Christian subjects of the Porte of the Oriental rite, equally renounces as a natural consequence the revival of any of the articles of former Treaties, and notably the Treaty of Koutchouk-Kainardji, the erroneous interpretation of which has been the principal cause of the present war."

In other words, what Russia tried to convert into a Protectorate of all the Christian subjects of the Porte was the principal cause of the Crimean War. But the Crimean War did not abolish the rights of Russia. It merely resisted the pretensions of Russia to exercise a Protectorate which had never legally existed and which would have been unendurable to Turkey. What again said Lord Clarendon in his Circular dated June 19, 1855—

"By the Treaty of Kainardji it is provided that the Sultan shall protect the Christian religion and its churches, and it was upon a complete misinterpretation of this Treaty, but without even an allegation that its stipulations had been violated, that Russia claimed a right of interference between the Sultan and 10 millions of the Sultan's Christian subjects. If the claim had been yielded to, and if a great wrong had thus been perpetrated, the authority of the Sovereign within his own dominions would in a great degree have been transferred to a foreign Power, and an important step would have been taken towards the overthrow of the Turkish Empire and the establishment of Russian supremacy on its ruins."

That was the result advocated by the right hon. Gentleman. From first to last the right hon. Gentleman had advocated subserviency to Russia, and he (Sir H. Drummond Wolff) felt persuaded such a sentiment must be abhorrent to that House and the country. In his speech at Blackheath, when Russia was carrying on what had been called an unofficial war in Servia with respect to Turkey, the right hon. Gentleman took the opportunity for advertizing his sympathy with Russia. "I, for one," he said, "am ready, as an individual, to give the right hand to Russia when her objects are right and just." The right hon. Gentleman had also by continuous action encouraged the pretensions of Russia. What happened at the Conference at St. James's Hall? The right hon. Gentleman had played a great part in that Conference. He distinctly advocated the policy which was contained in the fourth Resolution, and referred with approbation to the course taken by Mr. Canning in 1826, in invoking the aid of Russia and inviting the concert of all Europe for the establishment of Greek independence; and what had been the result of that document? The Protocol of the 23rd of March (4th of April), 1826, to which the right hon. Gentleman alluded, was referred to in the Russian declaration of war against Turkey of the 26th of April, 1828, and see what followed? By the Treaty of Adrianople, Russia certainly did obtain some privileges for the Greeks, but she obtained for herself additional territory in Asia. She gave the Greeks the Morea, but she took Anapa and Poti. By the Treaty of Kainardji, while she assumed to protect some churches, she took Kinburn, Kertch, Yenikale, and Azoff, conquests which were hostile to England. And what was wanted now? To obtain towns in Asia. How did she assist the Christians in Bosnia and Bulgaria? Why, by advancing her armies against Kars, Erzeroum, and Batoum. Why did Russia advance by the Black Sea? Mr. Palgrave had told us. He said—

"Anxiety is sometimes felt at the news of Russian conquests in Central Asia and the security of our Indian possessions is by some thought to be jeopardized by the appearance of the two-headed eagle in Bokahra and Samarcand. But in truth the Russian flag over Alexandropol, within a day's ride of Kars, is much nearer India. Let the line of country, the comparatively narrow line, of which we have been now speaking, from Batoum and the Ajaras on the Black Sea down to Bayazid and Van once become Russian territory and the entire Tigro-Euphrates Valley, now separated from Russia and Russia's obsequious ally Persia, by Kurdistan alone, becomes Russian also. The Persian Gulf and the directest of all Indian routes, a route where no wide desert tracts, no huge mountain chains intervene, nothing but the serviceable sea, will thus be not only open to, but absolutely

in the hands of, our very doubtful friends. The exclusion of all commerce, all communication by the most important line, except what is Russian and through Russia, will be the first and immediate consequence; what may be the ulterior results time alone can tell. But if India have a vulnerable point next after Egypt, it is the Euphrates Valley and its communications."

But all the conquests of Russia to which he had referred had been made under the pretext of protecting the Christian subjects of the Porte. He asked the House whether the policy of the right hon. Gentleman had not given to the Russians the greatest possible encouragement by the hope of assistance from this country. He never heard from abroad but he heard stories which he would not believe unless the right hon. Gentleman himself were to corroborate them, as to the encouragement which the right hon. Gentleman held out to the advance of Russia. He had heard of letters written by the right hon. Gentleman to Russians in which he spoke of the Russian advance as "The Holy Cause," and he was informed that when General Ignatieff was in this country the right hon. Gentleman urged him not to allow the Russian Army to be demobilized. The conduct of the right hon. Gentleman certainly gave some colouring and confirmation to those rumours. In fact, the Resolutions of the right hon. Gentleman might have been dictated at Moscow, composed at St. Petersburg, and telegraphed from Kischeneff by the same hand that composed the Russian Manifesto. With regard to them, he would say the first was a platitude and the second was a trap. The first Resolution merely declared on the part of the House what had been stated over and over again by the Government to Turkey, and the second tied our hands in case the necessities of the country should call on us to take action. The first Resolution was a Vote of Censure on Turkey. But what right had we to pass a Vote of Censure on Turkey any more than on Russia? How were we to obtain the concert of the Powers? The right hon. Gentleman had condemned the Government for producing Papers proving the cruelties of Russia in Poland, and he had contrasted that with the acts and even cruelties of Englishmen elsewhere. But if his argument held good for bringing forward statements against Turkey, surely the argument held good also for bringing forward statements against Russia. The right hon. Gentleman, in throwing this country into the arms of Russia, apparently forgot that those Papers had given us the most terrible list of cruelties perpetrated by Russia in Poland not in 1862 and 1863, but within the last three or four years. Colonel Mansfield wrote to Lord Granville in 1874, describing how the soldiers had surrounded the peasants, and on their refusal to change their religion, had given 50 blows to every man, 25 to every woman, and 10 to every child, while one woman, more vehement than the rest, had received 100. In one village a peasant suffocated himself with charcoal rather than have his child baptized by the official parish priest. Later, the peasants were assembled and beaten by the Cossacks, until the military surgeon declared, that if the punishment were continued longer it would endanger life; then they were driven through a half-frozen river to a church, where they were compelled to enrol their names as of the official religion. The British Consul at Odessa also wrote home, stating the cruelties which had occurred there, and that the ground of them was proselytism. And these were the acts of Regular troops and of the Government of Russia, a Government which came forward with all these professions of philanthropy; that was the Government to which the right hon. Gentleman wished us to become subservient. He asked again, how were they to obtain the concert of the Powers, seeing that Germany had declared that she would not consent to the occupation of Bulgaria by troops of any of the guaranteeing Powers to carry out their policy? It was his intention on this occasion to propose not the "Previous Question," but an Amendment, of which he would give the terms before he concluded. He thought the House had great occasion for thankfulness to the Leader of the Opposition for the part he had taken in this matter. The noble Lord last year rather resented any compliment from the Ministerial side of the House, and therefore it was with every apology that he ventured to state how much the noble Lord's conduct was generally appreciated for its statesmanlike, patriotic, and candid character. But the noble Lord was like the successor of an abdicated Emperor, who, repenting his abdication,

tried to grasp the substance of a power, the symbols of which he had resigned. The noble Lord recollected very well the maxims laid down for the guidance of the Liberal Party, when led by Lord Palmerston—namely, that Russia should not be allowed, like a great giant, to stride from the Baltic to the Mediterranean. And he recollected, also, the patriotic conduct of the Conservative Party in 1854, 1855, and 1856, when, being in a minority of only 19, instead of obstructing, they gave a loyal support to, the Governments of Lord Aberdeen and Lord Palmerston. He did not ask to-night for a Vote of Confidence in Her Majesty's Government. What he asked the House to do was to reject a Vote of Confidence in the Russian Government. He believed the House to-night, by rejecting the right hon. Gentleman's Resolutions would relieve the Government from the dangers and trammels of a mischievous restlessness, and enable them to proceed upon their course of watchful neutrality, to maintain the honour and interests of this country, and the peace of Europe. He begged to move the Amendment of which he had given Notice—

Amendment proposed,

To leave out from the word "House" to the end of the Question, in order to add the words "declines to entertain any Resolutions which may embarrass Her Majesty's Government in the maintenance of peace and in the protection of British interests, without indicating any alternative line of policy,"—(*Sir Henry Wolff,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. CHAMBERLAIN said, they had frequently been invited to bring their opinions on this question to the test of discussion and the judgment of the House, but up to the present time they had scarcely had an opportunity of taking part in a discussion which presented any more than a peg on which to hang their speeches. He confessed he feared at one time to-night that the present opportunity was also about to pass away, but this fear had entirely vanished after hearing the magnificent speech of the right hon. Gentleman. It might be true that the right hon. Gentleman only intended to propose the first two Resolutions, but three-fourths of his speech had been devoted to a justification of the principles laid down in the concluding Resolutions. The hon. Member for Christchurch (Sir H. Drummond Wolff) might think Resolutions of that kind inopportune. Indeed, he might think all Resolutions which did not imply implicit faith in the Government were inopportune; but these Resolutions were not inopportune to hon. Gentlemen sitting on his (Mr. Chamberlain's) side of the House. The negotiations of Her Majesty's Government had entirely failed, so that they could not be accused now of hampering the efforts of the Government. They were in the presence of a great crisis. They were in fear, and not altogether without reason, that this country might once more, as in the past, drift into war—a war which would be abhorred by the majority of the people of this country. It was, therefore, the duty of every man to speak out, and to protest as best he could. He pointed out that the Resolutions of the right hon. Gentleman could not have been proposed much earlier. They were intended, as he understood, to formulate their opinions as expressed in the Autumn agitations. Whatever might be the feelings of the hon. Member for Christchurch as to the resolutions passed at those meetings, their policy, or their wisdom, even he might feel some patriotic pride in the spirit which dictated them—a spirit which distinguished a free people, hatred of oppression, of cruelty, and of tyranny—a spirit which was the guarantee and justification of our liberties. When the hon. Member spoke of these meetings having been got up, he clearly knew very little of popular agitation. He (Mr. Chamberlain) had had something to do with agitation, and with agitation which had been successful. He knew that money could do something, and that organization could do more; but he knew that neither money nor organization could move a popular agitation, unless there was a deep-felt popular sentiment on which to work. The object of these meetings was twofold. In the first place, it was intended to prevent a drop of English blood from being shed or a pound of English treasure being spent to uphold the detestable tyranny of the Turks; and, in the second place, to enlist all the influence which

the Government could bring to bear in order to secure the better government of the Christian Provinces of Turkey. At that time the country had reason to fear that the Government was going to pursue what was sometimes called the traditional policy with regard to the Eastern Question. Certainly, nothing had been said by the Ministers to show the country that it was an erroneous impression. When, however, the Blue Books were distributed, they found some Members of the Cabinet, especially Lords Salisbury and Derby, had become convinced of the futility of such a policy, and their despatches teemed with expressions as strong as anything that had been said at the Autumn meetings, although of course couched in more diplomatic language. In fact, in deference to the public agitation, the Government had changed their policy. ["No, no!"] Hon. Gentlemen opposite who cried "No" were, of course, entitled to their opinion; but Lord Derby had said himself, in one of his despatches, that the Government would not now be able to fulfil their Treaty obligations in consequence of public feeling in this country. ["No, no!"] That expression implied that the Government would have carried out their Treaty obligations had it not been for the public agitation. ["No, no!"] That did not seem to please the hon. Gentlemen opposite, or suit their views. Then he should give them the opinion of another Member of the Government. They had been told it was true the Government had changed its policy, but only changed it because events had altered, as a man changed in summer a heavy coat for a light one, but then this showed that the Government had a different mind in February from what they had now, and what they said on this side of the House was, that the Government had, if not actually taken the coat from their wardrobe, cut it after their pattern. Then, as regarded the second object, they found the proposals at the Conference almost exactly what was contemplated by those who moved to secure self-government for the Christian Provinces. It was quite true that the proceedings of the Conference were accompanied by an ostentatious assurance of non-intervention, which some of them thought courted the failure which subsequently ensued; but Her Majesty's Government said they had hopes of success, and it did not, therefore, lie with the Opposition to challenge the policy. But their negotiations had entirely failed, and now a new responsibility had been cast upon those who thought that the objects which they sought in the Autumn were of supreme importance to re-affirm their necessity, and to point out means by which they could be accomplished. This was the more necessary because they had some evidence of re-action on the part of Her Majesty's Government. During the time of the Conference the Government appeared to have loyally supported Lord Salisbury, both in his attempt to bring moral coercion, and in his willingness to provide material coercion with the consent of the Porte; but when the proposals were rejected by the Porte, then the Government desisted from bringing pressure to bear upon Turkey, and appeared to have fallen back upon their traditional policy, and renewed their distrust of Russia. He was not a sympathizer with Russia. He confessed that he could not altogether regret that she was earning a well-deserved retribution for her treatment of Poland and the tribes in Central Asia, and the persecution of the Jews and Catholics; but could they regard with satisfaction the position in which they had been placed by the policy of Her Majesty's Government, under which Russia was left to be the arbitrator of the destinies of those Provinces, and their unhappy populations had no choice between the almost bestial tyranny of the Turks and the iron despotism of Russia? But when the Member for Christchurch spoke of the right hon. Member for Greenwich making these Resolutions subservient to the interests of Russia, he begged to submit that it was not in the interest of the Russians that these Resolutions were submitted to the House, for these Resolutions proposed to take the matter out of the hands of Russia and put it in the hands of united Europe. The hon. Member for Christchurch in August last said that he did not then share in the distrust of Russia. The hon. Member then believed that England would be as popular as Russia if she showed the same interest as Russia in the welfare of the Christian subjects. The right hon. Gentleman the Member for Greenwich had, in reference to this subject, called attention to the fact that no

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nation, unfortunately, had an entirely clear record in this matter, and least of all this country, whose very name for long years was a bye-word for our perfidious treatment of foreign policy, and who had much to regret for her doings in Asiatic countries; and, to come nearer home, they could not regard without shame some of our past dealings even in connection with Scotland and Ireland. He hoped that we were prepared to judge Russia as we desired to be judged—by her present intention and her present actions, and not by what took place in the past. If hon. Members would take an impartial view of the case of Russia as it had been presented by Prince Gortchakoff, he then hoped it would be agreed that Russia had been harshly used. The hon. Member for Christchurch said that Russia had no Treaty rights with regard to the Christians in Turkey; but at least she had a traditional interest in the subject, and it was simply impossible for her to see her co-religionists tortured, and to remain all the time silent and unmoved. From the first Russia said that peace was impossible unless some guarantee was given for the better government of the Christian Provinces of Turkey. She had formulated her demands; and he thought that they were just and reasonable. They had been accepted by this Government, and had been presented to the Conference, where, of course, they were refused by the Turks. Then, at the instance of the English Government, they had been reduced again and again until they had dwindled down to the Protocol; but these successive concessions had only hardened the Turks, who had rejected all of them contemptuously. And yet the Government now turned round upon Russia, and expressed doubt of her sincerity and intentions, and threw upon her the responsibility of the war; while it was clear that in the interests of peace she had made successive sacrifices, and at the instance of Her Majesty's Government she had been content to accept less than originally she had a right to demand. For himself, whatever motives they might attribute to Russia, whether interests of aggrandizement or sincere desire for peace, he could not see how she could have refrained from using force to secure the objects for which she had made so many sacrifices. Attacks had been made on the right hon. Member for Greenwich, but he should not follow that example by attacking Her Majesty's Government in a similar spirit, for although their policy was inconsistent in detail, yet he thought that it might be explained by one prevailing idea. He believed that the one thing Her Majesty's Government had been sincerely anxious for was the preservation of peace, almost at any price, though the means taken were not very likely to secure the object; that was what explained the despatch of Lord Derby to the Government of Austria, urging them to take such measures as would assist the Turks to put down insurrection—an insurrection which the right hon. Member for Greenwich considered to be a war in one of the holiest of causes. Undoubtedly, the same desire for the peace of the world induced the Government to accept the Andrassy Note, to refuse their concurrence to the Berlin Memorandum, to urge upon Turkey to accept the demands of Russia, and then at another time to urge Russia to withdraw demands refused by Turkey. But, unfortunately, these proceedings had not resulted in obtaining their object, and war had broken out. We had allowed Russia to draw the sword alone when we might have held the hilt, and in order to avoid the bare risk of an intervention with all Europe against Turkey, we had placed ourselves in a position where we might, in some unreasonable panic, be alone, face to face, in a war with Russia. The Government said they would not interfere unless British interests were affected. He would not presume to say that this policy was a gospel of selfishness, because he did not know in what sense the words British interests were used. If they only meant a jealous fear lest our trade should be injured, then it was unworthy of us; but if, on the contrary, they meant that we had undertaken a vast responsibility in connection with our Indian Empire, whose happiness lay in the continued security of our rule, then he said that these were interests to guard, and, if necessary, to defend, even by the sword. But then, in this case, Russia had a right to ask Her Majesty's Government at what point they considered that those interests would be imperilled. Russian statesmen had a right to complain that we had no definite

policy, and they never knew at what point they might overstep an imaginary line, and invite our hostility, and as long as this was uncertain the English people might find some morning that in the course of the night the Russian Army had unwittingly overstepped the mark which the Government had placed upon their maps, the passing of which was to be the passing of the Rubicon, and the signal for the commencement of hostilities. Her Majesty's Government should give the House some information as to the point at which they considered that British interests would be interfered with. One thing he was quite certain of—that British interests would be no longer identified by the people with Turkish misgovernment and misrule. He confessed that he thought, looking at the whole of the subject, that we had less to fear for British interests than we had to fear for the condition of those unhappy Provinces. He should tender his support to the third and fourth Resolutions of his right hon. Friend the Member for Greenwich, which sought to protect these Provinces, as well from any other foreign dominion as from the tyranny of Turkey. The hon. Gentleman the Member for Christchurch had told them that now such policy was too late. He (Mr. Chamberlain) could only say that it seemed to him that it was never too late to try the experiment. One thing was quite clear—that the experiment had not been honestly or sincerely tried up to the present time. It might have been tried with a good chance of success at an earlier period, when the Government were asked to join in the Berlin Memorandum. A joint intervention with all Europe against Turkey was a risk which might be righteously encountered in order to prevent the certainty of the war in which the two countries were now engaged. The Conference at Constantinople was a distinct acceptance of the principle of international arbitration. International arbitration was only an idle dream unless they were willing to accept at the same time the idea of international obligations. England especially had a duty cast upon her to do something for the relief of these poor suffering people, whose condition was very much the result of our past interference. Because he believed that the Resolutions faithfully represented the opinions of the great mass of the English people which hitherto had had no representation in the House, but only in the agitation out-of-doors, and because he believed they were just and expedient, he should offer to them his humble and hearty support. He knew that their defeat was a foregone conclusion; still he hoped that in the end the policy which they indicated might prevail.

MR. ASSHETON CROSS: I am not going to dwell on the somewhat unhappy wrangle which occurred at the beginning of the evening with respect to the form which this debate should take. I feel, however, bound to say, that under all the peculiar circumstances of the case, seeing that the right hon. Gentleman the Member for Greenwich, who, throughout the last Autumn, led a great agitation on this subject, at last had declared that the time had come when he could not, consistently with the course which he then took, remain silent with respect to it any longer, and in consequence had placed a series of Resolutions on the Notice Paper, on which he distinctly intended to invite the opinion of the House—not separately, but as a whole—the country, from one end of it to the other, will, I think, learn with astonishment to-morrow morning that the right hon. Gentleman has changed his course at the last moment, and has abstained from inviting that opinion. Therefore, whatever may be the view taken as to the moving of the Previous Question—and I, for one, would have preferred meeting the Motion of the right hon. Gentleman with a more decided opposition—I believe my hon. Friend the Member for Christchurch (Sir H. Drummond Wolff) has done well, when a person occupying the high position of the right hon. Gentleman at the last moment strikes out the pith of his Resolutions and changes the front which he presented, not only to this House, but to the country, in giving the House an opportunity of expressing its opinion that it will decline to entertain the question of any Resolution which might embarrass Her Majesty's Government in the maintenance of peace and in protecting British interests, especially when such Resolution indicates no alternative line of policy. The right hon. Gentleman spoke of all the meetings which have been held in the country, not only during the Autumn, but in the past week. Now, as to those which were held in the

Autumn, I can only say that I, for one, should have been ashamed of my countrymen if public expression had not been given from one end of the land to the other of their utter detestation of the horrors which had been committed in Turkey. Do you think that because we happen to be Ministers we are not Englishmen? Do you think that because we happening to be Ministers of the Crown pursue a line of policy which you do not like we have not the feelings of Englishmen? Do you suppose that we twelve men are the only persons in the country who have not been alive to the horrors which have been going on in Turkey? If you think that, or if you have let the country think that, you are grievously mistaken. And I am bound to say that you have misled the country, and led it to think that because we have pursued the policy that we considered right and just, we are more callous than you to the horrors of all that has been going on in Bulgaria. ["No, no!"] The right hon. Gentleman says "No, no," but it is true. I think these allegations against the Government are perfectly false. But when you come to the meetings that have been held during the last week, they are not the spontaneous feeling of the country. It is a matter of notoriety that they are meetings held for the express purpose of backing up those Resolutions which the right hon. Gentleman now disdains to put before the House. ["No, no!"] Yes, and if the opinions of those meetings are to be gathered as the opinion of this House apparently is to be gathered, if all the horrors perpetrated in Turkey are to be paraded before the country, if they are to be spoken of by the most eloquent man who can be found, if you propose Resolutions containing some policy to stop these horrors, and if at the same time you strike out the pith of those Resolutions, I do not wonder at your getting any expression of opinion at such meetings. The right hon. Gentleman has said that the policy of the Government has been ambiguous. I hope to show before I sit down that it has been as clear as possible, and has proceeded in one straight line. The right hon. Gentleman said that no policy could be more deplorable than the policy of the Government during the last 18 months. Eighteen months! And in his very next sentence, he said that when we went to the Conference at Constantinople the country had confidence in the Government. [Mr. GLADSTONE: Confidence in Lord Salisbury.] I am coming to that. I thought that the right hon. Gentleman stated that when the Conference went on the right hon. Gentleman and his Friends held their hand. Will the right hon. Gentleman allow me to ask this question? When was the meeting of the Conference at Constantinople? And when was the meeting of the so-called Conference at St. James's Hall? Did they not stay hands? How long did they stay their hands? If you compare dates you will find that there was very little time between the two to stay their hands in. The right hon. Gentleman says that he had confidence in Lord Salisbury and the proposals he made at the Conference. Now, if there has been one thing against which Englishmen ought to protest it is when an attempt is made to separate one Member of the Cabinet from the others. [*Cheers.*] Yes! this attempt to separate Lord Salisbury from the other Members of the Cabinet led some people to believe that the Cabinet were not united until the publication of the Blue Books, when all these castles in the air fell to pieces, and it was shown that every word uttered by Lord Salisbury expressed the firm declarations of the united Cabinet that sent him out and gave him his Instructions. The right hon. Gentleman has said there was a power behind Lord Salisbury which had previously determined that he should not succeed. I tell the right hon. Gentleman that a person holding his position in this House, unless he has some evidence to bring before the House, ought not to make such a statement. [Mr. GLADSTONE pointed to the Blue Books lying on the Table before him.] I repeat, that unless he has some evidence to prove the fact, he has no right whatever to make that statement. Nay, more, I will prove to him before I sit down that the statement is untrue, and that no such charge can be made, or ever ought to have been made. The right hon. Gentleman says we had determined that the Conference should fail, and that it must needs have failed, because we told Turkey that we were not going to enforce the decision of the Conference by

arms. Now, I want to ask the right hon. Gentleman, if any Gentleman who has taken any part in these meetings has ever put to the people of this country this question straight out—"Will you go to war?" And that is the question which you shirk to-night. That is the one thing that you do not dare to put to the country and to this House. Are you prepared to go to war against Turkey as an ally of Russia? The right hon. Gentleman will have an opportunity of answering me. Let him answer that question if he can—not in a dozen or even a hundred sentences — but by a simple "Yes" or "No." It is a simple question. It is a vital question. It is a question that admits of no deviation. It can only be answered in a monosyllable one way or the other. Are you prepared to engage the country in a war with Russia as an Ally against Turkey? We did not get at the answer to that question in a long wrangle of an hour-and-a-half, when we heard that the third and fourth Resolutions were to be withdrawn. The right hon. Gentleman at considerable length went into the declarations of the Ministers and their Supporters. To my mind it is perfectly marvellous, if you consider the enormous number of pages in the Blue Book and the speeches that have been made, that you cannot pick out one single sentence to show that we could have done anything that we have not done. The right hon. Gentleman says that the Press, which has supported the Government, has to a certain extent prepared the country for war. I want to know how, when, and where? And what war? The right hon. Gentleman has spoken in reference to British interests, of the enormous territory we have, and says that when we speak of British interests being affected we can find them anywhere, whenever we want an excuse for war. I hope to tell the right hon. Gentleman before I sit down what those British interests are. Then he went on to say, and for the best part of an hour—I assure the right hon. Gentleman I listened to him with attention and admiration, and agree in a great deal he said—he went on to speak of the massacres that had been committed. Well, nothing would induce me to say a word here or anywhere else of defence of the acts of the Government in Turkey, which he has condemned. I utterly abhor them from the bottom of my soul, and I speak not only for myself, but for every Member of the Cabinet. I will not separate myself from the Government any more than will Lord Salisbury. The Government is one on that point; and I believe that if a Liberal Government had been in power, with the right hon. Gentleman at its head, they could not have felt more utter detestation of those acts than we have.

There is another point on which I must say a word, though it is going back to an old story—I mean as to the Treaty of Kainardji. The right hon. Gentleman has on every occasion referred to that Treaty. His conscience is not easy on the subject of the Crimean War, and he always seems to me to try and invent some way of escaping from responsibility in reference to it. Well, to-night again, the right hon. Gentleman has fallen back on the Treaty, and quoted the authority of a great historian in support of his view. But it happens that the historian was not attempting, in the passage which he quoted, to describe accurately the precise extent and effect of that Treaty; he was endeavouring simply to give prominence to the fact that the extraordinary fate was reserved for Turkey at that moment of being compelled to admit for the first time the intervention on the part of her Christian subjects of a Power which she had reason to believe was her deadly enemy. If you wish to understand what the meaning of the Treaty was, not as an abstract question, but as a practical one, surely you should see what was the conduct of the Ministers who dealt with it in 1856. The right hon. Gentleman has said that much correspondence passed on the question, and he referred to one person who, as he stated, knew more of Turkey, and had more influence in Turkey, and understood the question better than any other man—namely, Lord Stratford de Redcliffe. The Ministers of the day very properly took the advice of Lord Stratford de Redcliffe on this very point, and in his reply he wrote—

"As the Treaty thus evoked to serve as the basis of another more stringent and comprehensive one is doubtless within your Lordship's reach, I will only observe with reference to it that of the four Articles which alone, as I am assured, have any bearing on the subject the 7th allows of a limited Russian interference

only for one particular church and its ministers, and of no direct protection at all; the 8th relates exclusively to pilgrims; 14th accords to Russia the right of protecting one specified church in this neighbourhood; and the 16th applies exclusively to Wallachia and other Provinces restored to Turkey by the Treaty."

Well, again, what said Lord Clarendon, who will surely be admitted to be a high authority—

"The whole question as regards Russia turns upon the interpretation of the 7th Article of the Treaty of Kainardji by which Russia engaged to protect the Christian religion and all its churches throughout European Turkey; but so carefully did the Porte guard itself against any right of interference on the part of Russia, that by a subsequent portion of the Article that interference was expressly limited to the right of making representations with respect to a church in Constantinople and to take those representations into consideration. But it is this unlimited interpretation of the Treaty which has been throughout insisted upon by Russia, and for which she is now prepared to go to war."

He had yet another document to quote to the right hon. Gentleman, and it is an extract from the views communicated by the Plenipotentiaries of France, Austria, and Great Britain, to Prince Gortchakoff in Dec., 1854. They say—

"La Russie, en renonçant à la pretention de couvrir d'un protectorat officiel les sujets Chrétiens du Sultan du rit Oriental, renonce également par voie de conséquence naturelle, à faire récrire aucun des Articles de ses Traités antérieurs, et notamment du Traité de Koutchouk-Kainardji, dont l'interpretation erronée"—[*Cheers.*]—Yes, that is the point—"a été la cause principale de la guerre actuelle."

That was an exact description of the case. Well, the question came to be debated in the House of Commons in 1856, and during the discussion an hon. Member spoke as follows:—

"It is said that what the Sultan gives to-day he may revoke to-morrow, and that the Treaty does not give to the Allied Powers that right of interference which some hon. Members think necessary for the security of the Christian subjects of the Sultan."

And what was Lord Palmerston's reply?

"I do wish," he said, "those who hold that opinion to remember for a moment what was the cause of the war. It was that the Emperor of Russia sent Prince Menchikoff to Constantinople with a demand which, if agreed to, would have given to the Emperor a right of interference in favour of the Christian subjects of the Sultan which was held by the Government of the Sultan, and by the English and French Governments, and admitted by the greater part of Europe, to have been a practical transference of sovereignty over 12,000,000 of the subjects of the Sultan to the Emperor of Russia. The war took place in consequence of the resistance of the Sultan to that demand; and if the treaty had placed that firman of the Sultan under the guarantee of the Allied Powers in a greater degree than the note of Prince Menchikoff required that the protection of the Christians should be placed under the Emperor of Russia, the only effect of a war commenced to maintain the independence of the Sultan, and to protect him against an authoritative interference of foreign Powers in the relations between him and his subjects, would have been to multiply by five the evil which he had previously resisted, and to give to all the Allies those very powers to resist which they took up arms to defend the Sultan. Therefore, a war begun to maintain the independence of the Sultan would have ended in utterly destroying that independence."—[3 *Hansard*, cxlii. 124-5.]

The course thus condemned by Lord Palmerston is the very course which the right hon. Gentleman wishes us now to take. He wants us to act in concert with Europe in the direction of coercion. [Mr. GLADSTONE dissented.] The right hon. Gentleman shakes his head; but it is true, nevertheless. I want to call the right hon. Gentleman's attention to this, for it is the contention of Her Majesty's Government, and it was the contention of the Government of which Lord Palmerston was a Member, in 1856, that the fact of the Firman having been adverted to in the Treaty, and the issue of it having been recorded in the Treaty, would give to the Allied Powers that moral right of diplomatic interference and of remonstrance with the Sultan which, says Lord Palmerston—"I am perfectly convinced would be quite sufficient to accomplish the desired purpose." Who, I would ask, is responsible for anything that may be deficient in the way of power to do what hon. Members opposite want? It is surely the Government which was in power in 1856, and if the Government of that day held the opinion which the right hon. Gentleman who has brought forward these Resolution now holds, they would have insisted on the insertion in the Treaty of a much stronger Article than that which was inserted.

The right hon. Gentleman further objects to the notion that the Treaty of 1856 was carefully revised in 1871, but he seems to forget that he was solely responsible for the last-named Treaty. He says further that the Treaty was passed in a hurry, and that England and Prussia, who were parties to it, had no time to

think of it; at all events, that Prussia was so much engaged in the French war that she did not even take the trouble to answer Prince Gortchakoff's note. So far as Prussia or Germany—call it which you will—is concerned, I am quite sure the right hon. Gentleman's memory is at fault. He seems to forget that the Conference on which the Treaty was based was held in London at the express instance of Prussia, that it was Prussia which took the leading part in these negotiations from the beginning, and that at its close Her Majesty's Government, of which the right hon. Gentleman was then the Leader, thought fit to express thanks to Prussia for the part which she had taken in the business. I hope we shall hear no more of the statement in reference to the Treaty of 1871 that Germany had no time to consider it. The right hon. Gentleman has thought fit to say that the policy of Her Majesty's Government in reference to this matter has been ambiguous, but nothing could be wider from the truth. He has said that the policy laid down by Lord Salisbury at the Conference was right, but that that was not the policy of the Government, and he has chosen to refer to some words which I used in the Autumn, and to which I still adhere, as does also the Government. How does the case stand? If any hon. Member will look at the proceedings which took place before that Conference, he will see how far we deserve the charge of the right hon. Gentleman. He says that we put a stop to all the good that could have resulted from the Conference by telling Turkey that we would not enforce the decisions of the Conference by war. Let me remind him that the whole gist and basis of the Conference was that we would not interfere with the independence or integrity of Turkey. Does the right hon. Gentleman mean to say that when Europe had gone into the Conference on these terms, she should have taken advantage of the position so gained, and then have turned round and said to the Turks—"If you don't agree to our terms we will go to war with you?" I say that if we had departed from that basis we should have been guilty of a gross breach of faith. The words I used in the Autumn, and to which the right hon. Gentleman has alluded, are true, and will be substantiated in the documents now upon the Table of the House. What were the Instructions which were given to Lord Salisbury before he went to the Conference at Constantinople? In the Instructions given to Lord Salisbury before he left for Constantinople, it was laid down that—

"Pacification cannot be attained by Proclamations. Powers have a right to demand, in the interest of the peace of Europe that they shall examine for themselves the measures required for the reform of the administration of the disturbed Provinces, and that adequate security shall be provided for carrying those measures into operation."

And that security was eventually laid down in the proposition for an International Commission, and in the provisions as to the appointment of the Valis. When the right hon. Gentleman says that our policy has been ambiguous, I reply, that if ever a policy has been marked by two distinct landmarks, it is that of Her Majesty's Government. What are those two distinct landmarks—and don't put them upon Lord Salisbury, because they are the embodiments of the opinions of Her Majesty's Government, and are to be found in the Instructions given to him before he left this country. The first of these landmarks is as follows:—

"Her Majesty's Government cannot countenance the introduction into the Conference of proposals, however plausible or well-intentioned, which would bring foreign armies into Turkish territory in violation of the engagements by which the Guaranteeing Powers are solemnly bound."

[Mr. GLADSTONE: Where is that to be found?] That is to be found in the Instructions which were settled before Lord Salisbury went abroad, and it is one in which I entirely agree. The next landmark is also one in which I entirely concur, and it is as follows:—

"It should be understood by the Porte that Great Britain is resolved not to sanction misgovernment and oppression, and that if the Porte by obstinacy or apathy opposes the efforts which are now making to place the Ottoman Empire on a more secure basis, the responsibility of the consequences which may ensue will rest solely with the Sultan and his advisers. —[*Turkey*, No. 2, 1877, pp. 3-6.]

It has been said by the right hon. Gentleman that the Government has sanctioned the maladministration and oppression going on in Turkey. Let us look to the facts. The Conference came to an end, and let us hear what were the

last words which Lord Salisbury used on that occasion—not as speaking for himself alone, but as the mouthpiece of the Cabinet—

"It is my duty to free Her Majesty's Government of all responsibility for what may happen, and I am therefore instructed to declare formally that Great Britain is resolved not to give her sanction either to maladministration or to oppression, and that if the Porte from obstinacy or inactivity, offers resistance to the efforts now being made to place the Ottoman Empire on a more sure basis, the responsibility of the consequences will rest solely on the Sultan and his advisers."—[*Ibid.* p. 362.]

That was the policy of Her Majesty's Government, and the question is whether they should have gone further or not? But after the Conference was brought to a conclusion Russia was still not at all satisfied. Russia had then massed her forces upon the frontiers of Turkey, and she determined to take further steps in the matter. In the Circular which Prince Gortchakoff sent throughout Europe he still felt how necessary it was to maintain, at all events, the appearance of European concert, and therefore he made in it a remarkable statement which I wish he had always kept in view and had acted up to—namely, that European concert should be preserved.

The right hon. Gentleman, in referring to the Protocol, seems to forget that Russia was not the assenting party to it, but was the originator of it. It was not a European—it was a Russian Protocol. Russia at that time stood in full armour upon the frontiers of Turkey, and under such circumstances disarmament by Turkey was impossible, because the attitude of Russia had excited not only the apprehension, but the fanaticism of the Mussulman population of Turkey. I believe that it was the attitude of Russia at that time that was the obstacle to the internal pacification and reform on the part of Turkey. In all these circumstances Her Majesty's Government consented to sign the Protocol, not perhaps believing that it would effect much, but at all events, as it was there stated, in the interests of peace. What was the conduct of Turkey after that? Turkey was not asked to be a party to the Protocol, which was a document drawn by the Powers themselves, and in which they agreed to give her time to see what she could do in the way of reforming her Government, reserving to themselves the right, if she did nothing in that direction, of future interference. Well, Turkey protested against that document, claiming to be treated as an independent Power, and protesting against what she considered to be a humiliation of her as a Sovereign country. In doing that I think she was unwise; that she was blind—utterly blind—and foolish. She is now suffering for her folly, and I have not a word to say on her behalf. Yes; but still the Protocol had held out to her that Europe would allow her time to see whether her promises would be fulfilled; and yet, almost immediately after that Protocol had been signed, Russia throws it at her and holds it to her head as though it were a loaded pistol, and requires her at once to reply to it. Russia said there was no guarantee that reform would be carried into effect, that all chances were closed against conciliation, and that there was no alternative but coercion. I entirely deny that. Russia insinuated that she was doing a work on behalf of Europe. Now, Her Majesty's Government felt bound to protest against that. I do not know what grounds Russia had to suppose that she was charged by Europe to carry out the objects of the Conference or the Protocol. I maintain that Her Majesty's Government replied, not only with justice, but with dignity, to the letter which Russia sent. We said—

"Her Majesty's Government cannot, therefore, admit, as is contended by Prince Gortchakoff, that the answer of the Porte removed all hope of deference on its part to the wishes and advice of Europe, and all security for the application of the suggested reforms. Nor are they of opinion that the terms of the Note necessarily precluded the possibility of the conclusion of peace with Montenegro or of the arrangement of mutual disarmament. Her Majesty's Government still believe that with patience and moderation on both sides these objects might not improbably have been attained."

Then we go on to say—

"But the course on which the Russian Government has entered involves graver and more serious considerations. It is in contravention of the stipulations of the Treaty of Paris of March 30th, 1856, by which Russia and the other signatary Powers engaged, each on its own part, to respect the independence and territorial integrity of the Ottoman Empire. In the Conferences of London, 1871, at the close of which the above stipulation with others was again confirmed, the Russian Plenipotentiary, in common with those of the other Powers, signed a Declaration affirming it to be an 'essential principle

of the law of nations that no Power can liberate itself from the engagements of a Treaty nor modify the stipulations thereof unless with the consent of the contracting parties by means of an amicable arrangement.' "

I ask the House, I ask the country, whether Russia has performed her duties under that Treaty of 1871? Her Majesty's Government would willingly have refrained from making any observations on the subject, but as Prince Gortchakoff seems to assume, in a Declaration addressed to all the Powers of Europe, that Russia is acting in the interest of Great Britain and other Powers, they felt bound to state, and I feel bound to state openly here, in a manner equally firm and public, that the Russian Government is not acting in concert with the other Powers. If any Power has more than another prevented united European action, that Power is Russia. Russia and Turkey are at war—war in a part of Europe which is the most inflammable you can conceive—in that part of Europe where every Power has an interest, and I am sorry to say an almost antagonistic interest. Of that war we feel the effects in this our own country at the present moment in the rise in the price of bread. War having broken out, the landmarks of the policy of the British Government are as clear as they were before. They have nothing to do with the war. Great Britain has declared absolute and strict neutrality. What the result of the war may be God only knows, but all the efforts of the British Government must clearly be as far as possible to localize the war—to reduce its area to a minimum. The hon. Member for Birmingham (Mr. Chamberlain) and the right hon. Gentleman the Member for Greenwich have talked about British interests, and the hon. Member for Birmingham has challenged Her Majesty's Government to point out what are the British interests which can possibly be drawn into this war. The policy of Her Majesty's Government is one of strict neutrality between the parties. We warned them as long ago as May, 1876, that they had nothing to expect from us. We warned them at the Conference, and since there has been no loss of time in the issue of our declaration of neutrality. So far, therefore, as it is a Russian and a Turkish war, we have nothing to do with it. In the war between Russia and Turkey we are absolutely impartial. There is the first clear landmark. Whether the war will produce the results which it is supposed will be produced is another matter. Although our efforts will be directed to prevent that war from spreading, it is impossible for anyone to say where it will stop. I am afraid that Russia, by the action she has taken, has assumed a most serious responsibility. Other nations may soon be drawn in—other interests may soon be involved. And there are interests that may be touched which technically it may be within the rights of belligerents to attack, but which practically are altogether outside and foreign to the objects and purposes of this unhappy war. There are English interests, there are European interests, there are Indian interests, there are world-wide interests which may be concerned. We do not want additional territory — we want nothing. We wish this war had not broken out. Batoum and other places have been spoken of, but there is the Suez Canal, in which not only England, but the world, is seriously concerned. Why the Suez Canal should be attacked by Russia in any shape I cannot imagine. Whether attacked by Russia or by Turkey, that is a question of not only English, but European interest. It is the road from the West to the East of the world. Take another place in which not simply England, but the world is interested. I mean Egypt. Alexandria is for practical purposes an English, a French—nay, a European town. No place can be of more commercial importance than Alexandria. Is Europe to allow Alexandria to be destroyed or Egypt to be occupied? Well, what am I to say about the Treaties as to the Straits of the Dardanelles and the possession of Constantinople? Is it necessary for carrying on the war between Russia and Turkey, and for the protection of the Christians in Turkey, that Constantinople should be either attacked, approached, or occupied? I say "No." These are questions which no country in Europe could regard with indifference; and when I mention them I hope they are so remote that they will not practically arise. But they are questions which must be considered by any British Government, and which any Ministry, even if the right hon. Gentleman (Mr. Gladstone) himself were at its head, would not dare to neglect, or if it did,

the country would very soon send it an answer which it could not mistake. And that is the second clear landmark. However, I hope, as I have said, these things are in so remote a future that we need not contemplate them. Let me quote the words which the Emperor Alexander used on the 2nd of November last to our Ambassador. His Majesty said—

"He had on several occasions given the most solemn assurances that he desired no conquest, that he aimed at no aggrandizement, and that he had not the smallest wish or intention to be possessed of Constantinople."

Let us see that His Majesty keeps to his words. He continued—

"All that had been said or written about the will of Peter the Great and the aims of Catherine II. were illusions and phantoms; They never existed in reality; and he considered that the acquisition of Constantinople would be a misfortune for Russia. There was no question of it, nor had it ever been entertained by his late father, who gave proof of it in 1828, when his victorious army was within four days' march of Constantinople."

Our Ambassador further wrote that—

"His Majesty pledged his sacred word of honour in the most earnest and solemn manner that he had no intention of acquiring Constantinople, and that if necessity should oblige him to occupy a portion of Bulgaria, it would only be provisionally, and until peace and the safety of the Christian populations were secured." —[*Turkey*, No. 1, 1877, p. 643.]

If the Emperor keeps his word, thus solemnly pledged, British interests will not be concerned. But a victorious army is a difficult thing to deal with, and a country once aroused is not always so easily quieted. All I can say is, that, as far as Her Majesty's Government are concerned, they sincerely trust that no action of Russia will ever require them to protect those interests which lie outside of this war; but that if those interests should be affected, of course it cannot be expected that either Europe or England will not interfere to protect them. I am sorry to have detained the House so long, but I must say one word before I sit down on the Resolutions of the right hon. Gentleman. I am bound to confess that when I read them the first time I could make neither head nor tail of them, and the debate during the early part of this evening showed that others shared my difficulty. Some have said that the first two Resolutions have nothing in them, and I caught from the right hon. Gentleman that he himself had very much that opinion, for he thought Her Majesty's Government might accept them; and yet he said they were brought forward practically because he thinks the policy of the Government so entirely false and erroneous that he felt bound to protest against it. Now, I could quite understand a Resolution being moved by the right hon. Gentleman declaring that we are bound to interfere in consequence of what has gone on in Turkey and to join Russia in the present war. If that is what the right hon. Gentleman means, why in the name of goodness does he not say so? I have never yet seen an account of any one of the meetings held in the country at which that issue has been put straight before them. Do you mean war or do you not? That is the question. The right hon. Gentleman said we have used every possible expression we could use, that we have remonstrated and expostulated, and pressed and protested; and he suggested to us a blank form in which you could put in any word you want. The word that he wants us to use is war. [Mr. GLADSTONE dissented.] The right hon. Gentleman shakes his head. If that is not it, what is it? I can tell you what it is. It is as clear as daylight. What he means is this—"If you will only say you will go to war if they don't do these things, although you don't mean to go to war; if you will only bark loud enough, though you don't mean to bite, Turkey will give way." Well, I call that conduct utterly unworthy of us. [*Cheers.*] Yes, you tried that policy on in the case of Denmark. I do not like the position of the boy who writes up "No Popery," and then runs away. If you mean to go to war, say so. When that issue is put plainly before the country I know what the answer of the country will be. But the right hon. Gentleman goes on to say that what he wants is practical self-government and local liberty. He speaks of these things as he might of a cargo of rice or a bale of merchandize, that you could tumble out at once into the middle of Turkey. Why, practical self-government and local liberty are the growth of years. All we can do is to sow the seed of them; but depend upon it the fields in which that seed will not grow are fields which are ploughed up by war and watered with

blood. The one result of war would be this, as was said in reference to Greece, there would be a generation of men missing, old men and boys alone would be left to till the soil. Now, let me ask in that case what is the good of these Resolutions? The whole sting of them is gone. The one thing on which the right hon. Gentleman comes before the country he has taken away from the judgment of the House, and he has left something which hon. Members below the Gangway opposite say is not worth debating. I entirely agree with the hon. Member for Christchurch (Sir H. Drummond Wolff) when he says—"Is that all you have to offer us after the speeches you have made? If you do feel bound to put something before the country, let us, at all events, decide that something. Don't bring that something before us and then wipe it off the slate." If you are displeased with our policy, turn us out; but first show us what policy you have to offer in place of ours. Do not imagine that the country will think of the hundred votes you may obtain in the division. They will only see that you have decided nothing, and that what you wished to carry into effect you have not had the courage to put before the House. Looking at the whole question and at the time which hon. Gentlemen opposite have chosen to bring it forward, I must say I think their object has been not so much to unite Europe, or to unite England, as to unite the Liberal Party. As the right hon. Gentleman seems to think the policy of the Government ambiguous, let me before I sit down once more state clearly what it has been and what it is. It has been that they will not in any way sanction oppression or tyranny in any part of the world where they have the power to interfere. It has been to preserve inviolate our Treaty engagements, and to set an example which, if followed by other nations, would materially add to the happiness of the world. It is, deeply as they regret the war, to maintain the strictest neutrality between the contending nations. It is, outside the necessities of this actual war, to maintain, as they ought to maintain, and as any British Government would maintain, those interests of England which ought to be maintained. They have no thought of fear; they have no thought of gain. Before the face of this House, of England, of Europe, of the world, they are conscious of the honesty of their own purpose. They are conscious of their own earnest desire for peace; they are conscious, if need be, of their strength. They have, I hope, the wisdom not to use that strength improperly, and wherever and whenever the opportunity may offer to stop this war, to heal these wretched divisions, to improve the condition of these Christian populations in a way which will really improve them—and that way, in my opinion, is not by war—to localize, to minimize, or to wipe away the effects of this war, there the Government will give their services.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Childers.*)

THE CHANCELLOR OF THE EXCHEQUER apprehended there could be no two opinions on the point that it would be necessary to adjourn the debate. The only question was as to the day for resuming it. [*Cries of* "To-morrow."] He hoped it would be the pleasure of the House to continue the debate to-morrow. The hon. Member for Hackney (Mr. J. Holms) had an important Motion, which stood first on the Paper for to-day, and the second was a Motion of the right hon. and learned Member for Clare (Sir Colman O'Loghlen). He hoped they would waive their rights with regard to these Motions, in order to allow the present debate to be resumed.

MR. J. HOLMS said, that under ordinary circumstances he should not for a moment have hesitated to give way, but a section of the House to which he belonged believed that it was an urgent necessity that the House and the Government should know more fully what the opinion of the country was, and that an Adjournment of the Debate until Thursday would be of essential service for that purpose. The right hon. Member for Greenwich had changed his Resolutions, though he (Mr. Holms) did not believe he had changed his course on this question, and the country should have an opportunity of considering the matter before the resumption of the debate. He felt it, therefore, his duty not to accede to the appeal of the Chancellor of the Exchequer.

THE MARQUESS OF HARTINGTON said, he very much regretted the position

which his hon. Friend the Member for Hackney had taken up. It was undoubtedly necessary from time to time, when important questions such as this arose, that the House should seek to make itself aware of the opinion of the country. But the Resolutions of his right hon. Friend (Mr. Gladstone) had been on the Table of the House and before the country for some time, and the country had had an opportunity of expressing its opinion on them. That opinion was known to hon. Members who represented the constituencies. Now, he did not think it would conduce to the dignity of their deliberations if they were deliberately to postpone a discussion such as this in order that they might receive instructions from their constituencies. As he had said, the general scope, nature, and tendency of the Resolutions of his right hon. Friend were already known to the country, and it could not be necessary that the constituencies should have an opportunity of expressing their opinion as to any changes which had that night been made in the Resolutions. It would be much to be regretted, therefore, if his hon. Friend and those who had Notices on the Paper refused to give to-morrow for the continuation of the debate. He might remind his hon. Friend that it was not probable, even if to-morrow was devoted to the discussion, that the debate would be finished that night. They would probably be in the position of having to appeal to Her Majesty's Government to give another day, and he could scarcely consider it fair, in the present position of public Business, that they should call on the Government to sacrifice the time at their disposal if hon. Members on that side of the House were not prepared to make some sacrifices also.

LORD ESLINGTON said, the noble Lord the Leader of the Opposition had stated that the Resolutions had been on the Table of the House for several days, but how many of them he (Lord Eslington) wished to know now remained? The country had supported the right hon. Gentleman the Member for Greenwich on many occasions; but they had been deceived on that occasion, because the Resolutions to which they had given their support had been withdrawn. If the debate were adjourned what were they to discuss? There was one Resolution, which was a truism, on which all probably were agreed; and there was another to discuss, the terms of which were to be altered, and until to-morrow the House would not know what they were. It was a most unsatisfactory position for the House to be placed in. He wished very much to know what was the question before the House? Great national interests were to be sacrificed in order to indulge a Party purpose, and he regretted it.

SIR COLMAN O'LOGHLEN said, as he had a Motion for to-morrow evening he would willingly withdraw it if the hon. Member for Hackney (Mr. Holms) would withdraw his Motion, but if his hon. Friend would not take that course, he should retain his Motion.

MR. RYLANDS said, the right hon. Gentleman the Member for Greenwich had not withdrawn the substantial part of his Resolutions. It was desirable that time should be given in order that the House might hear a few more echoes from the country on this great question.

MR. BIRLEY said, they could come to a decision without outside pressure. There were many reasons why the debate ought to be brought to a speedy conclusion. He had not much respect for public opinion as expressed in the papers during the last week, which had no doubt been got up to order.

CAPTAIN NOLAN expressed a hope that if the hon. Member for Hackney (Mr. Holms) gave way, that the Government would give him a day for the discussion of his Motion relative to the Army.

MR. ANDERSON said, as hon. Members opposite had alleged that the agitation of the last few days had been got up to order, it was desirable that they should wait and see whether the agitation of the next few days was got up to order also. This was the most important debate of the Session. The greatest interest was felt in the country upon the question; and it was most desirable that the country should have the opportunity of considering the alterations which had been proposed in the Resolutions of the right hon. Gentleman before the debate was resumed. He therefore urged his hon. Friend the Member for Hackney not to give way. The debate should not be resumed so early as to-morrow.

MR. E. JENKINS put it to the Government, whether it was worth while

to resume the debate to-morrow, when it was well known it could not be concluded before Thursday?

MR. MONK thought the fact that the debate was not likely to conclude to-morrow was an unanswerable argument for resuming it to-morrow. If it was not resumed to-morrow, the debate would not be concluded on Thursday. He hoped, therefore, the hon. Member for Hackney (Mr. Holms) would defer to what seemed to be the very general desire of the House.

MR. GATHORNE HARDY protested against extending the time for resuming the debate over to-morrow, merely to get up an extraneous expression of opinion, whether sham or otherwise. It should be remembered that the Business of the House had to be proceeded with, and that that Business was the Business of the country. The Government would, therefore, press the resumption of the debate to-morrow. If it did not go on, the Government would not be prepared to give Thursday. If it went on to-morrow, and was not finished, the Government would give Thursday. But the Government felt strongly that, having given up Monday, they had a right to call on private Members to give up Tuesday. Therefore, his right hon. Friend the Chancellor of the Exchequer would to-morrow move that Notices of Motion be postponed till after the Order of the Day for resuming the Adjourned Debate on the Eastern Question.

MR. J. HOLMS explained that what he had said was not solely with regard to his own particular Motion. He believed he was giving expression to the general opinion on that side of the House. Under all the circumstances, however, he would yield to what he understood to be the general wish of the House, and waive his claim for precedence with his Motion. He hoped, however, that the Secretary for War would endeavour to find an early day for discussing the Army Estimates.

MR. GATHORNE HARDY assured the hon. Member that he would do all in his power to secure the earliest opportunity for the proposed discussion.

Question put, and *agreed to.*

Debate *adjourned* till *To-morrow.*

CUSTOMS, INLAND REVENUE, AND SAVINGS BANKS BILL—[BILL 143.]

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith.*)

COMMITTEE. [*Progress 3rd May.*]

Bill *considered* in Committee.

(In the Committee.)

MR. BIGGAR said, that, as the hour was late, he would move that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Biggar.*)

MR. A. H. BROWN objected to the Motion.

MR. PARNELL thought they should know how late they were expected to stay discussing that Bill. There were several Amendments on the Paper, and it was not possible to foresee how long the discussion would continue. If there was any idea of going on to half-past 1 or 2 o'clock, he would rather at once protest now than make the stand later.

THE CHANCELLOR OF THE EXCHEQUER pointed out that, as he had promised to accept the Amendment on the Paper of the noble Lord opposite (Lord Frederick Cavendish), and was willing to accept that of the hon. Member for Gloucester (Mr. Monk), which involved only a small amount of revenue, there was not likely to be any difference of opinion except on the Amendment of the hon. Member for Wenlock (Mr. A. H. Brown). He hoped, therefore, the hon. Member would not press his Motion to report Progress.

MR. COURTNEY said, it was not his intention to move his Amendment.

Motion, by leave, *withdrawn.*

Clauses 8 to 12, inclusive, *agreed to.*

Clause 13 (Payment into Exchequer of surplus interest from Post Office Savings Banks Fund).

On the Motion of Lord FREDERICK CAVENDISH, Amendment made in page 6, line 7, after "expenses," by inserting—

"Including a sum to be determined by the Treasury to provide against depreciation in the value of the securities."

Clause, as amended, *agreed to.*

Remaining clauses *agreed to,* with Amendments.

SIR JOSEPH M'KENNA, thinking that the remainder of the Amendments on the Paper required a fuller discussion than they were likely to receive, would move that Progress be reported.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again,"—(*Sir Joseph M'Kenna.*)

The Committee *divided:*—Ayes 8; Noes 167: Majority 159.—(Div. List, No. 116.)

MR. A. H. BROWN moved in page 3, after Clause 9, to move the following Clause:—

(Extension of exemption of s. 11, 32 and 33 Vic. c. 14.)

"The exemption enacted by the eleventh section of the thirty-second and thirty-third Victoria, chapter fourteen, shall be extended to any tenement or part of a tenement occupied as offices or counting-houses for the purpose of exercising or carrying on any profession, vocation, business, or calling, by which such person or persons shall seek a livelihood or profit within the meaning of the Act of the fifth year of the reign of George the Fourth, chapter forty-four, section four."

THE CHANCELLOR OF THE EXCHEQUER was sorry he could not accept the Amendment, on account of the sacrifice of revenue it would involve and the increased difficulties to which it would give rise.

MR. HERSCHELL strongly supported the proposed clause.

MR. J. G. HUBBARD observed that not one farthing of the old revenue would be lost by the adoption of the Amendment.

Amendment *negatived.*

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Tuesday, 8th May, 1877.

MINUTES.]—PUBLIC BILLS—*First Reading*—Public Libraries Act (Ireland) Amendment * (65); Gas and Water Orders Confirmation (Abingdon, &c.) * (66).

Second Reading—Solicitors' Examination, &c. (52); Removal of Wrecks * (59); Local Government Provisional Orders (Horbury, &c.) * (55); Gas and Water Orders Confirmation (Brotton, &c.) * (60); Tramways Orders Confirmation (Barton, &c.) * (51).

Committee—South Africa (40-67); Public Record Office (*re-comm.*) * (58).

Committee—Report—Elementary Education Provisional Order Confirmation (London) * (48); Elementary Education Provisional Orders Confirmation (Cardiff, &c.) * (50).

SOLICITORS EXAMINATION, &c. BILL.

(*The Lord Aberdare.*)

(No. 52.) SECOND READING.

Order of the Day for the Second Reading, read.

LORD ABERDARE, in moving that the Bill be now read the second time, said, its object was to regulate the admission of Solicitors of the Supreme Court of Judicature of England. By former statutes, and by the Acts of 1873 and 1875, persons applying to be admitted as Solicitors were required to pass examinations known as the preliminary, the intermediate, and the final examinations; and the power of making regulations for the conduct of those examinations and of appointing the examiners, was vested in certain of the Judges of the High Court of Justice: the Bill proposed to transfer those powers to the Incorporated Law Society, and make other amendments in the law relating to Solicitors. No person was to be admitted as a Solicitor without a certificate that he had passed the three examinations before stated; these examinations were to be held under the management of the Incorporated Law Society, who were to make all necessary regulations as to time and place and subjects of examination, to appoint the examiners, and arrange their remuneration by fees or otherwise. The fees payable in respect of their examinations were to be settled by the chiefs of the Divisions of the High Court of Justice, and were to be applied to the necessary expenses of these exami-

nations and to other points of legal education. In case of the refusal of a certificate an appeal was given to the Master of the Rolls. Members who had taken University degrees, or had passed certain academical examinations, and utter barristers, who desired to transfer themselves to the other branch of the profession, were excused the preliminary examination. Barristers of five years' standing were exempted from the intermediate examination also, and could be admitted Solicitors on passing the final examination.

Moved, "That the Bill be now read 2ª." —(*The Lord Aberdare.*)

THE LORD CHANCELLOR thought the provisions of the Bill would be extremely useful, and as the measure had the approbation of the Judges, he agreed to the Motion for the second reading.

LORD HATHERLEY also expressed his approval of the measure, and said that the Incorporated Law Society deserved the highest credit for what it had done in the cause of legal education.

Motion *agreed to*: Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

SOUTH AFRICA BILL—(No. 40.)

(*The Earl of Carnarvon.*)

COMMITTEE.

House in Committee (according to Order).

Clauses 1 to 12, inclusive, *agreed to*, with verbal Amendments.

Clause 13 (Power to Her Majesty to authorize Governor General to appoint deputies.)

THE EARL OF BELMORE asked his noble Friend (the Earl of Carnarvon) to explain under what sort of circumstances the power which was proposed to be given by the clause to the Governor General to appoint a deputy—he himself being present within the limits of the confederation—would be exercised?

THE EARL OF CARNARVON said, that the Governor General might be absent in a distant part of the confederation, in the fulfilment of his duties as High Commissioner, and it might be convenient to leave some one with powers to administer the Government at head-quarters. This had already been done during Sir Henry Barkly's administration.

Clause *agreed to*.

Clauses 14 to 50, inclusive, *agreed to*.

Clause 51 (Creation of Consolidated Revenue Fund.)

THE EARL OF BELMORE said, that this clause provided for the raising of the general revenue and its appropriation. He should have expected to find here a provision for its issue under the warrant of the Governor General. There, however, was no such provision in the Bill, and he thought it might either have been accidentally omitted, or it might be provided for in some other way of which he was not aware. He thought he was right in calling his noble Friend's attention to the matter which was one of some importance, and one which had led to a correspondence, when he himself was a Colonial Governor, between the noble Earl the Leader of the Party opposite (Earl Granville) and himself.

THE EARL OF CARNARVON was afraid he could not on the moment give a satisfactory answer. He would look into the matter, and if there was anything to state, state it on Report.

Clause *agreed to*.

Clauses 52 to 66, inclusive, *agreed to*.

Clause 67 (Laws respecting Natives to be reserved.)

LORD CARLINGFORD said, that the object of this measure, no doubt, was the establishment of representative and responsible government in South Africa, and he could but hope that in granting constitutional powers to a society in such a peculiar condition, the scheme would not prove unworkable. All parties would unquestionably desire to treat the rising State with every indulgence; but the colonists must be made to understand that with the grant of representative Government, their own Executive and Legislature would be held responsible for the good government of the Natives and the safety of the frontier. He did not object to the policy of the clause; but it must be clearly understood that constitutional Government carried with it its responsibilities.

THE EARL OF CARNARVON said, his noble Friend had touched a most

important and difficult question. No doubt, the difficulty of carrying out the principle laid down by the noble Lord in Colonies where there was a large Native population was very great, and in South Africa particularly so. It was for this reason that all laws relating to the Natives or to Native affairs were to be reserved by the Governor General for the signification of Her Majesty's pleasure. Therefore, Her Majesty's Government took upon themselves the responsibility to the Imperial Parliament for any legislation of the Colonial Legislature which might affect the Natives. He confessed he had great anxiety with respect to this measure: but, taking into account the peculiar difficulties attending these Colonies, he was satisfied that the scheme of the Government was the best that could be devised.

VISCOUNT CARDWELL pointed out that the Bill threw the primary responsibility of legislation as affected the Natives on the Colonial Government, and that the responsibility of the Home Government was restricted to the power of veto in such cases as were reserved by the Governor General.

THE EARL OF KIMBERLEY said, the clause reserved to the Home Government a controlling power over Colonial legislation in respect of the Native population. The Colonial Government had hitherto shown great prudence in regard to the disturbance, which had broken out on the frontier, and this afforded evidence that they might be trusted with larger powers. Moreover, it was much safer to entrust such powers to a confederated Legislature than to a small Legislative Council. In the former there was a wider public opinion, and consequently a larger policy; and this was the best safeguard against abuse.

Clause *agreed to.*

Further Amendments made; the Report thereof to be received on *Tuesday* next; and Bill to be *printed*, as amended. (No. 67.)

THE EASTERN QUESTION—DESPATCH OF 1ST MAY, 1877.—OBSERVATIONS.

THE DUKE OF RUTLAND rose to call the attention of the House to the Earl of Derby's despatch to Lord Augustus Loftus of 1st May, 1877. The noble Duke said, he must throw himself upon their Lordships' indulgence while he made a few observations on the subject he was about to bring under their notice; and he had this claim to their indulgence, that he could assure their Lordships that he would rather that the subject had been brought under their notice by some one else—and it was only because no other noble Lord had shown an intention of bringing it under consideration, and because he felt that the matter was at present one of vital importance, that he had ventured to introduce it. He thought the despatch was couched in language of a much stronger description than the noble Lord and the Government could have intended to use; and his fear was that it would be read by other countries, and more particularly by Turkey, as an abrogation of the Declaration of Neutrality. It was most important this country, acting in concert with the other Powers of Europe, should maintain a strict and *bonâ fide* neutrality. He perceived in that morning's papers indications of the ill effects that had already arisen from his noble Friend's despatch; he saw that at St. Petersburg, at Berlin, and at Paris it had caused much consternation; and he had brought the matter forward in the hope that his noble Friend the Secretary of State might be able to state what would calm and soothe the alarm that now prevailed on the Continent. He hoped nothing would fall from himself that would in any way embarrass Her Majesty's Government. He felt deeply grateful to his noble Friend and to the Government for their continuous, assiduous, and unremitting exertions to maintain the peace of Europe. Unfortunately those exertions, however strenuous, had failed. In the despatch to which his Notice referred, he perceived that his noble Friend particularly inveighed against Russia for having broken the Treaty of 1856; but his noble Friend himself the other day in this House declared that no Treaty was irrevocable. Now, he (the Duke of Rutland) thought that he could show their Lordships that Russia had not broken that Treaty. After the outbreak of the Servian War there were differences of opinion between several of the Powers; an attempt was made by diplomacy to arrange these difficulties and differences; a Conference

was proposed, but did not succeed in arranging them; a Protocol was proposed, and again that failed of its intended object; and why did they all fail? He asked their Lordships whether Russia did not go to the utmost extent she could in meeting the demands of his noble Friend and of the other Powers of Europe? She gave way on almost every point in controversy; whether it was the occupation of Bulgaria, or the granting of administrative autonomy to European Provinces—in every way Russia did what she could to meet his noble Friend. But Turkey refused to give way; she would do nothing; she would listen to nothing; she maintained that attitude at the Conference, and in that spirit she rejected the Protocol. After the Powers of Europe had been brought together and endeavoured to settle these matters by peaceful means, and after their endeavours in common had failed, he thought Russia was justified in saying she had fulfilled her obligations under the Treaty of Paris, and she was called upon to interfere in a more active way. A great deal had been said about the independence of Turkey; but the independence of Turkey was a thing of the past. Did anyone mean to say that, after the blood and treasure we expended in the Crimean War—after 20 years of misgovernment in Turkey, increasing every year and every month, and culminating in the Bulgarian atrocities—we had no right to interfere in the concerns of Turkey? The noble Lord himself had interfered. What could be more direct interference than writing such a despatch as the noble Lord wrote on the 21st of September, in which he said—

"Your Excellency will, in the name of the Queen and Her Majesty's Government, call for reparation and justice, and urge that the rebuilding of the houses and churches should be begun at once, and necessary assistance given for the restoration of the woollen and other industries, as well as provision made for the relief of those who have been reduced to poverty; and, above all, you will point out that it is a matter of absolute necessity that the eighty women should be found and restored to their families." —[*Turkey*, No. 1 (1877), p. 238.]

Could anyone who read that despatch conceive of its being sent to an independent Power? But further, the noble Marquess, whom he did not see in his place (the Marquess of Salisbury), in his despatch to the noble Earl the Foreign Secretary, dated Pera, the 4th of January last, said—

"The independence of the Ottoman Porte is a phrase which is, of course, capable of different interpretations. At the present time it must be interpreted so as be consistent with the conjoint military and diplomatic action taken in recent years by the Powers who signed the Treaty of Paris. If the Porte had been independent in the sense in which the Guaranteeing Powers are independent, it would not have stood in need of a guarantee. The military sacrifices made by the two Western Powers twenty years ago to save it from destruction, and the Conference which is now being held to avert an analogous danger, would have been an unnecessary interference if Turkey had been a Power which did not depend on the protection of others for its existence."—[*Turkey*, No. 2 (1877), p. 213.]

He asked their Lordships whether, after reading the despatch, it was not something beyond all human belief that people could still talk of the independence of Turkey? There was another thing in these debates on the Eastern Question which had struck him as curious, and that was the amount of blame that had been cast upon the late Prime Minister, lately the leader of the Liberal Party for his participation in what was called the Autumn Crusade. The Government of this country must always be anxious to know what the real feelings of the people were on this or any other subject; and if their Lordships doubted what the feeling was their doubt might be removed by a despatch of the noble Earl the Foreign Secretary, containing language which reflected the greatest honour upon him. On the 5th of September, 1876, the noble Lord wrote—

"It is my duty to inform you that any sympathy which was previously felt here towards that country has been completely destroyed by the recent lamentable occurrences in Bulgaria; the amount of outrages and and excesses committed by the Turkish troops upon an unhappy, and for the most part unresisting population, has raised an universal feeling of indignation in all classes of English society, and to such a pitch has this risen, that in the extreme case of Russia declaring war against Turkey, Her Majesty's Government would find it practically impossible to interfere in the defence of the Ottoman Empire."

Well, how was that feeling discovered? Why, through the efforts of Mr. Gladstone. His noble Friend the noble Duke seemed to admit that he was correct.

The Duke of Rutland

THE DUKE OF RICHMOND AND GORDON: I beg your pardon—I do not.

THE DUKE OF RUTLAND: Did the noble Duke deny it? Why, last night, in "another place," Mr. Cross said he perfectly agreed in all that had been said throughout the country in reference to the atrocities committed in Turkey; and, therefore, he contended that the Government were indebted to Mr. Gladstone for the knowledge of the real feeling of the country in this matter. He might be told that these things had passed, and that it was perfectly useless to ask these questions now, and that he was merely wasting their Lordships' time; but he thought not, if they could only learn a lesson from what had taken place and apply it for guidance in their future conduct. He was one of those who were of opinion that, if the Government could have conscientiously signed the Berlin Memorandum, peace would have been secured; but, unfortunately, on that occasion they separated themselves from the rest of Europe. He had an earnest and strong conviction that his noble Friend was unable to sign it; but the consequence had been that we had lost the opportunity of joining with the other Powers in securing the peace of Europe. His fear was that at present they were again on the verge of a similar catastrophe. He would ask his noble Friend (the Earl of Derby) whether any other Power in Europe had written such a despatch to Russia as that on which he had been commenting? He would ask him, further, whether the despatch of the 1st of May was submitted to the other Governments of Europe, and, if so, whether they approved it? It was very important that they should not be agitated at the present moment. He was sure that they were all anxious to localize the war and, if possible, to procure peace; but he felt confident the only way to do so was for the Powers of Europe to hold together and maintain a strict neutrality. He did not desire to detain their Lordships, but he could not sit down without referring to the words which the Emperor of Russia used to our Ambassador on the 2nd of November last. Mr. Cross read the despatch in "another place" last night, and perhaps he was wrong in repeating it now; but he felt it was so important at the present moment that the words of the Emperor of Russia should be known to every man, woman, and child in this country and in all Europe that, at the risk of wearying their Lordships, he would read an extract from it again. Lord Augustus Loftus, in a despatch dated November 2, 1876, wrote—

> "His Majesty pledged his sacred word of honour in the most earnest and solemn manner that he had no intention of acquiring Constantinople, and that, if necessity should oblige him to occupy a portion of Bulgaria, it would only be provisionally, and until peace and the safety of the Christian population were secured. . . His Majesty could not understand, when both countries had a common object—namely, the maintenance of peace and the amelioration of the condition of the Christians—and when he had given every proof that he had no desire for conquest or aggrandisement, why there should not be a perfect understanding between England and Russia—an understanding based on a policy of peace, which would be equally beneficial to their mutual interest and to those of Europe at large. 'Intentions,' said his Majesty, 'are attributed to Russia of a future conquest of India and of the possession of Constantinople. Can anything be more absurd? With regard to the former it is a perfect impossibility; and as regards the latter I repeat again the most solemn assurances that I entertain neither the wish nor the intention.' His Majesty deeply deplored the distrust of his policy which was manifested in England, and the evil effects it produced, and he earnestly requested me to do my utmost to dispel this cloud of suspicion and distrust of Russia, and charged me to convey to Her Majesty's Government the solemn assurances he had repeated to me."—[*Turkey*, No. 1 (1877) p. 643.]

No language could be stronger than this. There was the word of honour of the Emperor of Russia given to Her Majesty's Government that he had no desire to acquire Constantinople, and that he did not seek to approach India. He (the Duke of Rutland) could not believe that anyone claiming the name of a gentleman, much more that of an Emperor, could falsify his word of honour given in such language. It seemed perfectly impossible. But suppose it were not so—suppose that Russia did wish or attempt to take Constantinople, to stop the Suez Canal, and seize on Egypt—suppose all these impossibilities, what better security could there be against them than to unite with the rest of Europe in resisting such schemes of aggrandizement? If that time should ever arrive, he felt confident there was no man in England in whom the country

could repose greater confidence than in his noble Friend the noble Earl. The interests of England and her honour would be safe in his hands.

THE EARL OF DERBY: My Lords, the noble Duke has concluded with a remark so personally complimentary to myself that I almost shrink from commenting, as I otherwise should have been inclined to do, on some points of the speech he has just made. My noble Friend says the interests and honour of the country are perfectly safe in my hands; but if I am to put the plain and ordinary meaning on the remarks which he has just made, he must believe that the course we have pursued in this matter is both unwise and unsafe; and if that is the case, I should be surprised that my noble Friend felt any confidence for the future, which was so little justified by the past. On previous occasions when I have heard my noble Friend speak in this House he has not often indulged in flights of imagination; but I think my noble Friend was for once imaginative when he said, in the opening sentences of his speech, that he would not have thought of bringing this subject before your Lordships if anyone else had appeared willing to do so. Now, my Lords, the despatch on which he has commented was placed in the hands of the public yesterday morning—the same afternoon my noble Friend placed his Notice on the Paper:—and I do not well understand how he could contrive to ascertain in so short a time that he was the only person likely to bring forward the subject. But that is not all. My noble Friend is imaginative again when he speaks of the consternation produced by the appearance of the despatch in the various European capitals. I should like very much to know how he has found that out. I think I have at least as many opportunities of knowing what takes place in the various capitals of Europe as my noble Friend can have; and although it is rather too early, when a Paper has only been before the world for 48 hours, to learn the effect it has produced, I certainly am not aware that it has created the feeling of consternation which my noble Friend has attributed to it.

THE DUKE OF RUTLAND: I have seen the telegraphic despatches on the subject in the morning papers.

THE EARL OF DERBY: What morning papers?

THE DUKE OF RUTLAND: In *The Daily News*.

THE EARL OF DERBY: I give my noble Friend equal credit for sincerity and simplicity; but if he has taken his estimate of the policy of the Government from the telegraphic information of *The Daily News*, I am not surprised that his conclusions have been such as he has described. But I must go on to the other points my noble Friend has touched. He puts to me a question which I think, under the circumstances, is one of a rather singular character. He wants to know whether, before the despatch referred to was published, it was submitted to the judgment of the other Powers. Was such a question, my Lords, ever asked before? Has it ever before been expected that a British Minister, writing an important despatch, expressing the opinion of his Government on the step which another Government has taken, should abstain from expressing that opinion until he had consulted with the other Powers of Europe, and made quite sure that no one would disagree with it? My Lords, I need not say that such a course would be altogether unreasonable. But my noble Friend goes back on matters of old date. He went back to the time of the Berlin Memorandum, and said if we had only signed that Memorandum there would have been no disturbance of the European peace. I have answered questions on that subject again and again within the last few weeks, and I shall only revert to the matter now to say that, if we had done as my noble Friend says we ought to have done, we should have been involved in what I am sure neither House of Parliament would desire—a war against Turkey in conjunction with Russia. I will not discuss that other point which my noble Friend the noble Duke introduced—namely, the debt of gratitude which we owe to the distinguished ex-Prime Minister, who was lately the Leader of the Liberal Party. My noble Friend thinks the Government ought to feel grateful to Mr. Gladstone for the language which he used and the course which he pursued. Well, if it was my habit or my wish to take a purely Party view of things, I should sympathize with my noble

Friend; I think that, in a party point of view, Mr. Gladstone has rendered great service to the Government: but if I had been a Member of the Liberal Party I should not be at all grateful to that distinguished person for the services he had rendered to them. My noble Friend went on to the question of the independence of Turkey, and said it was all nonsense to speak of Turkey as an independent State. I own I do not see what that has to do with the present state of affairs. It was a very fair question to discuss when the matter before us was to what extent we were entitled to interfere in the internal affairs of Turkey; but when that is all past and gone, it is merely raising a retrospective and historical question which it would serve no good purpose to discuss. As to any charge of inconsistency in talking on the one hand of the independence of Turkey and on the other hand writing a despatch which dealt with the internal affairs of that country, I may point out that at the time that despatch of the 21st September was written we were in a peculiar position with regard to the Turkish Empire; the Powers were engaged in the work of mediation, and we, among others, were trying to bring about a settlement of the controversy. It was perfectly reasonable, therefore, and not at all inconsistent with the independence of that country that we should interfere when acts were committed tending to make effective mediation impossible, and say—"We can have no more to do with you if these acts continue; we can take up your case no longer if you do not put a stop to them." Then my noble Friend quoted the words of the Emperor of Russia to Lord Augustus Loftus, which have been for some time before the public of this country and of Europe. I do not quarrel with my noble Friend for referring to that declaration if he thought it appropriate and important; but I may observe that at the time when that declaration was made Russian armies were stationed on on the frontiers of Turkey; a war loan had been issued, and mobilization had taken place; and I may also point out that from the same high and distinguished authority there was another declaration made—I mean that speech at Moscow, which, if I chose to argue the point, I might refer to with as much propriety and as much effect as that with which my noble Friend has referred to the conversation with Lord Augustus Loftus. I think my noble Friend was guilty of an argumentative fallacy when he said that the position we held in the despatch to which he referred would be considered inconsistent with our professions of entire neutrality. Now, I do not see what the two things have to do with one another. Does it follow that because we mean to be neutral in a war—does it follow because considerations of policy or the interests of our own country withhold us from taking any part in a quarrel going on between other Powers—that we are therefore bound to abstain from giving any expression of opinion on the subject? That has never been the course in this country, and if we had pursued it on this occasion we certainly should not have escaped criticism more severe and more just than that which has been addressed to us. As regards foreign Powers, I agree as to the danger of hasty language; but if there is one thing more than another which is likely to lead to hasty and ill-considered and, therefore, possibly injudicious and dangerous words on the part of those who represent either the present, or any other Government, it is that they should be called upon night after night, with no definite issue before the House, to express opinions which necessarily go forth to all Europe, upon the most delicate and difficult questions.

LORD WAVENEY was understood to say that public feeling had not in the least changed since the Conference at St. James's Hall, and to refer to the meeting on Monday evening showing the interest taken by the public in this question.

EARL GRANVILLE: My Lords, I do not think it would be convenient to go into a debate on the Eastern Question at this moment; but I should be reluctant that this discussion should close without making a few observations on what has passed. I certainly cannot concur in the censure of the noble Earl the Secretary of State on the noble Duke for having brought this question forward. On the contrary, I think it exceedingly valuable that the noble Duke should have shown the moral courage to speak in opposition to the feeling of those around him, and give expression to his honest and conscien-

tious convictions on the subject which he brought before the House. The noble Earl found fault with the noble Duke for having gone back to the Berlin Memorandum. My Lords, I can quite conceive that Her Majesty's Government are anxious to throw a veil over the past; but I think it most natural that the noble Duke, having spoken for the first time in the House on the Eastern Question, should have referred to one of the most remarkable incidents in these negotiations. I entirely agree with the noble Duke that the act by which we separated ourselves from Europe and the mode in which the Memorandum was rejected were most unfortunate circumstances, and the misfortune has been aggravated by the subsequent boastings of Her Majesty's Government and their supporters that a most material check was thus given to the three Emperors. I should like to know what the check which broke up the concert of Europe at the time has effected? The noble Earl asked the noble Duke where he got his information as to the effect which the despatch to which he referred produced in foreign countries; and when the noble Duke said it was from the Correspondent of *The Daily News* there was a general laugh on the other side, as if the question had been disposed of. But I must remind your Lordships that something of the same kind happened last year. Certain things were conveyed to the people of this country by the Correspondent of *The Daily News*. Her Majesty's Government and the Prime Minister threw the greatest doubt on the information given them, but a long time afterwards, by an inquiry made by their orders, they did obtain information which, so far from justifying the sneers which they had indulged in at the information received from the Correspondent of *The Daily News*, entirely corroborated it. So that the fact of such a statement as that to which the noble Duke referred appearing in *The Daily News* does not seem to be conclusive as to its falsehood. Objection was made by the noble Earl to the noble Duke's reference to the despatch demanding, in an imperious tone, redress for the outrages committed by the Turkish Government. I am not going to enter into the dispute as to how much confidence the noble Duke ought to repose in the noble Earl. I leave them to settle that among themselves. But from what I know of my noble Friend's disposition I am sure that he is as little inclined as anyone can be to manufacture despatches for home consumption, and which are not intended to be of any use in the transaction of public affairs—but when your Lordships read these despatches—one addressed to the Turkish Government, the other addressed in a scolding tone to the Russian Government, and compared them with the Proclamation of strict neutrality between the two countries—they certainly do raise the impression that they were intended rather to create a favourable impression at home as to the foreign policy of the Government than to secure the objects at which they professedly aim. I again say that I acknowledge with thankfulness the action of the noble Duke in bringing the matter before your Lordships.

THE LORD CHANCELLOR: My Lords, I only rise to say that, considering the gratitude of the noble Earl (Earl Granville) to the noble Duke, your Lordships might have justly expected that the noble Earl himself would have expressed some opinion upon the despatch. But the noble Earl has risen and has sat down again, and has not said a single word on the subject of the despatch, except that it was not intended for Russia, but for home consumption.

EARL GRANVILLE said, he had described the despatch to Lord Augustus Loftus as one of a scolding character, and had added that although the noble Earl was incapable of manufacturing despatches for home consumption, a comparison of these two despatches might lead to the inference that they were intended to produce a favourable impression at home as to the policy of the Government, rather than a beneficial effect on the course of events abroad.

THE LORD CHANCELLOR: I did not so understand the noble Earl. I wish to point out that so far from the despatch being volunteered on the part of the Government, it was a despatch which was absolutely called for by the communication which was addressed by Prince Gortchakoff to Her Majesty's Government. That was a communication which upon the face of it stated that the Emperor of Russia in what he was

doing was acting in response to the sentiments and the interests of Europe. If Her Majesty's Government had the opinion that that was a just statement, then of course they were entirely in the wrong in responding to the despatch; but, on the other hand, if the statement was one which the Government of this country could not accept, then I believe it was their bounden duty to place upon record in a manner which could not be mistaken the opinion which conscientiously they entertained of the step taken by His Imperial Majesty. I believe that the people of this country agree in the statements which are made by Her Majesty's Government in the despatch of my noble Friend; and I must say I heard with some amazement and deep regret the suggestion made by the noble Duke that the Government of this country, in expressing their opinion, called for after the circumstances I have described, ought to have submitted their opinion to the other Courts of Europe before expressing it.

GAS AND WATER ORDERS CONFIRMATION (ABINGDON, &c.) BILL [H.L.]

A Bill for confirming certain Provisional Orders made by the Board of Trade under The Gas and Waterworks Facilities Acts, 1870, relating to Abingdon Gas, Cranleigh Gas, Horsham Gas, Ilkeston Gas, Mansfield Gas, Newcastle-under-Lyme Gas, North Camp and Farnborough District Gas, and Southbank and Normanby Gas — Was *presented* by The Lord ELPHINSTONE; read 1ª, and *referred* to the Examiners. (No. 66.)

House adjourned at Seven o'clock, till Friday next, half-past ten o'clock.

HOUSE OF COMMONS,

Tuesday, 8th May, 1877.

MINUTES.] — PUBLIC BILLS—*Ordered—First Reading* — Summary Jurisdiction (Ireland) (No. 2) * [159].

Second Reading—Quarter Sessions (Boroughs) * [144].

Referred to Select Committee—Companies Acts Amendment (No. 2) * [109].

QUESTIONS.

NAVY—MR. CLARE'S PETITION.

QUESTIONS.

MR. BIGGAR asked the First Lord of the Admiralty, Why the Petition presented to the Right honourable Sir John Somerset Pakington (now Lord Hampton) about the 26th of November 1866 by the Right honourable Colonel John Wilson Patten (now Lord Winmarleigh), of Mr. John Clare, the inventor and patentee of the metal shipbuilding of the State Navy, and the plaintiff in "Clare *v.* The Queen," has not been acted upon, though repeated applications have been made to the Admiralty; and, whether he has any objection to lay the said Document, and Lord Winmarleigh's Note that accompanied it, upon the Table of the House?

MR. A. F. EGERTON, in reply, said, that the case of Mr. Clare had been carefully considered by successive Boards of Admiralty. Mr. Clare had also endeavoured to enforce his claims in the Courts of Law. Under those circumstances, he was not prepared to lay on the Table of the House the Petition presented to the Admiralty by Mr. Clare, because it could not be found. Besides that, it was not desirable to reopen a matter that had already been decided upon.

MR. BIGGAR asked the Secretary of State for the Home Department, If he would state why he withheld from Her Most Gracious Majesty the Queen, after having written of Mr. John Clare's claims in the terms of the following note,—

"Eccle Riggs, Broughton in Furness,
"Novr. 6, 1872.

"Dear Sir,

"The Memorial you send states many facts which are not within my knowledge, but I do think that, as stated in paragraph nineteen, you have contributed to the present system of construction of vessels of war, and I wish that some compensation could be granted to you whatever may have been your strict legal rights.

"R. Assheton Cross.

"Mr. John Clare."

the Petition of Mr. John Clare, the inventor and patentee of the metal shipbuilding of the State Navy, and plaintiff in "Clare *v.* The Queen," specially addressed "To Her Most Gracious Majesty Vic-

toria, Queen of Great Britain and Ireland," sent into him at the Home Office 3rd March 1874, as the official medium between Sovereign and subject; and, why he placed the case of Mr. Clare before the Law Officers, Sir Richard Baggallay and Sir John Holker, when his case and claims on the Admiralty were solely scientific and mechanical, and not legal questions?

MR. ASSHETON CROSS, in reply, said, that Sir George Grey, when Secretary of State for the Home Department, had considered Mr. Clare's case, and answered a Question similar to that put to him by the hon. Member. He had himself already made a statement to the House on the subject, and it was not his intention to repeat it. He might say that he had been persecuted by the infliction of letters on this subject, greater than had befallen any other Member of the Government or of that House. When he took office he referred the matter to the Law Officers of the Crown, to see if any point favourable to Mr. Clare had been overlooked. Their answer was to the same effect as those given by the Law Officers of the previous Government, and he hoped he should hear no more on this subject.

ARMY—TROOPS FOR SERVICE ABROAD.
QUESTION.

MR. HAYTER asked the Secretary of State for War, Whether it is the fact, as stated in the "Times" of May 5th, that a special Roster has been formed of troops for immediate departure for service abroad, including a Brigade of Guards, seven Regiments of Cavalry, four Brigades of Artillery, and forty Battalions of Infantry?

MR. GATHORNE HARDY: Sir, in reply to my hon. Friend, I have to inform him that no special Roster has been formed of troops for departure for service abroad; the ordinary Roster only has been formed as for the usual number of troops.

THE JESUITS—10 GEO. IV.
QUESTION.

MR. WHALLEY, who had placed on the Paper a Question with respect to the Jesuits in England, said, he would not trouble the House by reading it, but would ask the right hon. Gentleman the Chancellor of the Exchequer to reply to it as it stood on the Notice Paper.

THE CHANCELLOR OF THE EXCHEQUER: I think I must trouble the House by reading the Question of the hon. Member. It is as follows:—

"To ask Mr. Chancellor of the Exchequer, with reference to the statement of the First Lord of the Treasury, that 'circumstances might render it expedient to put in force the existing Laws prohibiting the residence in this Country of Members of the Society of Jesus, as defined in the Act of 10 Geo. IV.; whether the present position of European affairs may not be regarded as demanding that step, having regard to the way that the Papal authorities are actively engaged in exciting public opinion against Russia as the head of the Greek Church, and to the increase in number, influence, and activity of the Jesuits, the recognized agents of the Vatican in this Country; and, whether, in the event of not enforcing the existing Laws, some other and what means will be taken for protecting the Executive Departments of the Government and the public interest generally, from the secret operations of this dangerous organization."

The hon. Gentleman puts it more pithily to me—what I mean to do in reference to the Society of Jesus. Well, as a matter of fact, I know very much less about the proceedings of that Society than does the hon. Member, and the chief information I have received as to the members of that Society came from the hon. Member himself. But, with regard to the first part of the Question, I may say I am not aware that the Papal authorities are more actively engaged in exciting public opinion in this country than a good many other people are. Exciting public opinion, I have been told on high authority, is a very proper thing to do; but I am quite sure that if anything were being done which was injurious or unfriendly to our Ally, the Emperor of Russia, proper representations would be made to Her Majesty's Government by His Majesty's Ambassador on the subject, and that those representations would receive prompt attention. With regard to the other part of the Question, as to the dangers which are threatened to the Executive Departments of the Government, "from the secret operations of this dangerous organization," I undoubtedly feel, as we all feel, much alarmed at this suggestion. What I would propose to the hon. Member is that he should place at our disposal the information which he seems to possess on this subject.

ARMY—COMMAND OF THE HOME DISTRICT.—QUESTION.

MR. STACPOLE asked the Secretary of State for War, If, by the regulation limiting the command of the Guards to Major Generals promoted from full pay of the Guards, there is now but one officer (excluding the late and present holders of the appointment) who is eligible for the command of the Home District and Brigade of Guards; and, if so, whether he proposes to make any alteration in a rule which thus takes away the power of selection for so important a command?

MR. GATHORNE HARDY, in reply, said, that the statement of the hon. Member was quite correct as to the present state of things. He had, however, been informed that there would be several eligible officers to choose from when a vacancy occurred.

COAL MINES—THE TYLDESLEY EXPLOSION.—QUESTION.

MR. MACDONALD asked the Secretary of State for the Home Department, If he can explain how it was that the Counsel appointed by the Treasury to attend the Tyldesley Explosion did not attend Coroner's Inquest on Saturday; and if he will attend at the next sitting of the jury?

MR. ASSHETON CROSS, in reply, said, that the reason why counsel did not attend the inquest was that there were two inquests, and that consequently fresh counsel had to be engaged, and there was an accident in the post. Counsel would be present at the adjourned inquest.

RUSSIA AND TURKEY—THE WAR—EGYPT.—QUESTION.

MR. SULLIVAN: I beg to ask the Chancellor of the Exchequer a Question of which I have given him private Notice, Whether he has any objection to explain more clearly to the House on the part of Her Majesty's Government, the intimation of the Home Secretary, that England would defend Egypt from interference or attack, and the points I wish to be explained are these—Firstly, whether it is the meaning or intention of Her Majesty's Government to enable Egypt by the supply of troops to participate as a belligerent in the Turco-Russian War without incurring the danger of retaliating hostilities; secondly, whether the House is to understand from the language of the Home Secretary that Her Majesty's Government intend, in the event of Russia so retaliating upon Egypt by an attack upon Alexandria, to employ the British arms against Russia; and, lastly, whether the intimation to Turkey and Egypt that their chief ports will be more or less protected by England against Russian hostilities is not a substantial contribution to their available strength in the war, and a departure from strict neutrality by this country?

MR. SPEAKER: If the right hon. Gentleman the Chancellor of the Exchequer thinks proper to answer that Question, it is not for me to interfere; but I am bound to say to the hon. Member that a Question of that character should be submitted to the House in the form of a Motion, as it involves matters of argument and debate.

THE CHANCELLOR OF THE EXCHEQUER: All that I can say, in answer to the hon. Gentleman, is that the Question is one which it is impossible for me to answer.

MR. SULLIVAN: Allow me, Mr. Speaker, to give Notice that I shall ask this Question on Monday next.

RUSSIA AND TURKEY—THE WAR—BLOCKADE IN THE BLACK SEA.—QUESTION.

MR. E. HUBBARD asked the Under Secretary of State for Foreign Affairs, Whether, in view of Article Three of the notification of the blockade of the Black Sea, which grants a delay of three days, reckoning from the 5th May, to merchant vessels wishing to enter one of the blockaded ports, and a delay of five days to those who wish to clear from the same, Her Majesty's Government consider that this notification gives the "reasonable time" required by International Law for a notice of blockade to take effect. The article having appeared in the "Times" of Monday 7th May, and the time expiring on Tuesday the 8th and Thursday the 10th May; and, whether Her Majesty's Government will consider the possibility of making imme-

diate representations to the Porte in favour of British shipowners who, under this article, would have to forego their homeward cargoes to save the hull of their vessels from capture?

MR. BOURKE: Her Majesty's Government are not prepared to contest the right of the Porte to issue the regulations with regard to the blockade which have appeared in the newspapers; and with regard to the second paragraph of the hon. Member's Question, I have to state that a telegram was sent yesterday to Constantinople authorizing and directing Mr. Layard to request that the Porte would give an extension of the days of grace to vessels wishing to enter the blockaded ports. That telegram added the hope that Her Majesty's Government would receive from the Porte an assurance that an extension of the days of grace should be accorded, in order that vessels which are now on their way to ports in the Black Sea should be enabled to arrive there.

MR. WILSON asked whether that applied also to vessels having cargoes for ports in the Mediterranean?

MR. BOURKE said, it was a general instruction to Mr. Layard.

RUSSIA AND TURKEY—THE WAR—BLOCKADE OF THE DANUBE.

QUESTIONS.

MR. GOURLEY asked the Under Secretary of State for Foreign Affairs, Whether he is aware that the Turkish authorities on the Upper Danube have, contrary to the proclamation of the 1st of May, seized and set on fire a British corn-laden lighter; if so, what measures he intends adopting in order to prevent the seizure and destruction of British lighters and other steam-tugs now detained in the Upper Danube? Further, if he can inform the House of the nature of the blockade established in the Black Sea, if beginning at the entrance to the Dardanelles, the Bosphorus, or only outside Russian Black Sea ports; also, whether he will use the influence of Her Majesty's Government with that of the Turkish Government to procure an extension of the time allowed for leaving blockaded ports?

MR. BOURKE: I only had time to notice this Question a short time before I came down to the House, but I think I shall be able to give a satisfactory answer. With regard to the first part of the Question, I have to state that instructions have been issued by the Porte to the Turkish Commander-in-Chief, authorizing him to stop the property of neutrals in the Danube, in order that the operations of war might be carried on. These regulations, issued by the Porte, appeared in the newspapers some days ago. The Commander-in-Chief is authorized by the Porte to close the navigation of parts of the Danube, and also to detain neutral vessels, provided it should be necessary in order to carry on the operations of war, giving those neutral vessels indemnification. The regulations which we have received on the subject are now before the Law Officers of the Crown, and I have not yet received their Report, so that I cannot give any further information on that part of the subject. If any vessels have been destroyed it has probably occurred during the fighting which is reported to have happened on the Danube. With regard to the further Question of the hon. Member, I understand the hon. Gentleman to ask whether the blockade of the Black Sea is to take place on the Turkish waters?

MR. GOURLEY: The Dardanelles, the Bosphorus, or other parts of the Black Sea?

MR. BOURKE: The Turkish Government, of course, will not blockade their own ports; and, therefore, I understand that the regulations with regard to the blockade apply to the Russian ports of the Black Sea. A telegram was sent yesterday to Mr. Layard instructing him to use his best efforts to obtain an extension of the days of grace allowed to British ships.

PARLIAMENT—THE WHITSUN RECESS.

QUESTION.

In reply to Mr. BERESFORD HOPE,

THE CHANCELLOR OF THE EXCHEQUER said, it was not possible to speak with perfect certainty at this moment respecting the duration of the Whitsun Recess; but he hoped it would be in the power of the House, without inconvenience, to rise on Thursday, the 17th instant, and he should then propose that they re-assemble on Thursday, the 31st instant.

NOTICES OF MOTION.

Ordered, That the Notices of Motion be postponed till after the Order of the Day for resuming the Adjourned Debate on the Eastern Question.—(*Mr. Chancellor of the Exchequer.*)

THE EASTERN QUESTION—RESOLUTIONS (MR. GLADSTONE).

ADJOURNED DEBATE. [SECOND NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [7th May],

"That this House finds just cause of dissatisfaction and complaint in the conduct of the Ottoman Porte with regard to the Despatch written by the Earl of Derby on the 21st day of September 1876, and relating to the massacres in Bulgaria."—(*Mr. Gladstone.*)

And which Amendment was,

To leave out from the word "House" to the end of the Question, in order to add the words "declines to entertain any Resolutions which may embarrass Her Majesty's Government in the maintenance of peace and in the protection of British interests, without indicating any alternative line of policy,"—(*Sir Henry Wolff,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

MR. CHILDERS said, he rose to support to the best of his power the Motion of his right hon. Friend the Member for Greenwich, whose speech, though not delivered under circumstances of great public convenience, considering the two hours' wrangle which preceded it, had been listened to with sincere admiration as one of the greatest and most noble efforts which his right hon. Friend had ever made in the House. That speech was a statement of policy at once complete, interesting, and worthy of guiding the House and the country on the greatest question which had come before this Parliament. In those third and fourth Resolutions, which were not to be put, the House might perceive the elements of the solution of this question; and whatever differences there might be on points of detail, and he confessed he shared them, he had no doubt that history would give his right hon. Friend his due in regard to a statement of policy which was of the most vital importance to the interests of this country. If the speech of his right hon. Friend the Member for Greenwich had done no more than elicit some of the expressions, some of the assurances, some of the declarations which were made last night by the right hon. Gentleman the Home Secretary, it would have resulted in a great gain for the cause which he and those near him had so much at heart. There was a great peculiarity about the reception of the speech of the Home Secretary by hon. Members opposite. He had watched the right hon. Gentleman himself very carefully while he was delivering his speech; but he had watched still more carefully the faces of the right hon. and hon. Members sitting behind him. When the right hon. Gentleman spoke of the charges brought against Her Majesty's Government as being false, the whole of the hon. Members opposite cheered him to the echo; when he spoke of the unity of the Government and of their internal agreement, he was received with cheers from one end of the House to the other; when he denounced war against Turkey, the cheers were still louder; when he referred to his first landmark of "No coercion," the cheers were redoubled; when he spoke of the action of Russia being the real obstacle to peace, and used the usual stock Party arguments to which we had been so accustomed during the last three months, nothing could be louder than the cheers he called forth from hon. Members opposite. But when the right hon. Gentleman went further, and announced his utter detestation of the Bulgarian outrages—[*Ministerial cheers.*] Yes, hon. Members opposite cheered now. When he said that he abhorred from the bottom of his heart what had occurred in Turkey not a single cheer came from the opposite side. When he said that the whole responsibility for the present state of things rested upon the Sultan, hon. Members opposite had listened to him with dismay. ["Oh, oh!"] He (Mr. Childers) was telling the strict truth. When the right hon. Gentleman said that in the war that was now going on England was determined to observe not only absolute neutrality, but absolute impartiality, hon. Members opposite did not cheer; and when he said that our interests were in

danger in so remote a future that he need hardly contemplate it, even the hon. and gallant Member who sat behind him (Admiral Sir William Edmonstone) began to fan his face. He (Mr. Childers) pretended to know nothing about the secrets of the Cabinet. The Cabinet kept its own secrets; but, at any rate, he knew, and those who saw the faces of hon. Members opposite last night must know, a great deal of the effect which the declarations of the right hon. Gentleman produced upon them.

MR. PLUNKET rose to Order. He begged to ask, whether it was competent for the right hon. Gentleman to take advantage of this opportunity to give an account of what happened last night, which he (Mr. Plunket) begged to say was an entire misrepresentation of what took place?

MR. SPEAKER: The right hon. Gentleman is referring to a speech in the current debate, and it is perfectly competent for him to do so.

MR. CHILDERS remarked that the hon. and learned Gentleman spoke of misrepresentation, and in the same breath called him to Order for reference to a past debate. Had it come to this —that they on that side might not even refer to a discussion on a previous night adjourned to the present, but might be accused under cover of rising to Order of misrepresentation. That was a very curious attempt to take advantage of the rules of debate. He would, however, at once turn to the main question before the House. What were the Resolutions which were before the House, and what was the Amendment they were asked to discuss? In the first place, he would ask what the Resolutions were not? Although his right hon. Friend the Member for Greenwich had expounded and explained with a force difficult to answer the whole of his four Resolutions, he did not intend, as he distinctly stated, to move the third and the fourth, but merely intended to move the first and second, and to agree to certain Amendments in the latter. The third and fourth Resolutions, therefore, were no longer before the House; but his right hon. Friend had a perfect right, in fact, he was bound, in his view of the question, to refer to them so as to enable him to put before the House and the country his policy as a whole. The third and fourth Resolutions expressed very plainly the policy which the right hon. Gentleman advocated; but he was bound to admit that it was desirable, that they should not be put to the House as they stood, on account of one or two expressions which occurred in them, and which were undoubtedly open to question, more, perhaps, on the score of opportunity than on any other ground. With regard to the third Resolution, for instance, he might admit that there was an ambiguity and indefiniteness about its language, inasmuch as it expressed a desire that—

> "The influence of the British Crown in the Councils of Europe should be employed with a view to the early and effectual development of local liberty and practical self-government in the disturbed Provinces of Turkey, by putting an end to the oppression which they now suffer, without the imposition upon them of any other Foreign Dominion."

This might mean that under no circumstances should any of the oppressed Provinces be annexed to Austria, a position he was not prepared to adopt. Again, the fourth Resolution was open to question as to the propriety of the House demanding that the influence of Great Britain should be—

> "Addressed to promoting the concert of the European Powers in exacting from the Ottoman Porte, by their united authority, such changes in the Government of Turkey as they may deem to be necessary for the purposes of humanity and justice, for effectual defence against intrigue, and for the peace of the world."

What did "exacting" mean? and was it necessary that all the Powers should be united? It was unnecessary to enter into further details with reference to the third and fourth Resolutions at the present moment. The case, however, was very different with regard to the first and second Resolutions. The first Resolution was perfectly plain, for it related to the action of the Ottoman Empire in answer to the despatch of the 21st of September, 1876, action—or, rather, inaction — which was practically an affront to this country; and the second Resolution followed up that assertion by the almost inevitable conclusion that the Porte by its conduct had forfeited all claims to assistance from this country, whether it were moral or material; and upon those two Resolutions he should endeavour to show the House that it

was most expedient that Parliament and the country should pronounce clearly. That the House would do well in the present position of affairs in the East to pronounce most distinctly that neither moral nor material support should be given to Turkey, was a proposition so clear, so simple, that he was surprised at the kind of opposition which had been made to it in certain quarters. It had been stated out-of-doors and suggested in that House that the first Resolution was unusual and unwise, as it censured, not the Government of this country, but the Government of Turkey. As a general rule, the province of the House was rather to censure the acts of Her Majesty's Government than of foreign Governments in no way responsible to us; but there was a peculiarity in the despatch of the 21st of September, 1876, written by Her Majesty's Government. It expressed, no doubt, the opinion of the Government, and it professed to speak in the name of the Queen; but, in point of fact, it originated in and conveyed to Turkey the decision, almost the commands of the people of England; and so it was understood by the Porte. In the Blue Book that had been recently published Lord Derby, writing to our Chargé d'Affaires in Constantinople, gave an account of an interview which he had had with the Turkish Ambassador here, in which he said that the latter, referring to the Despatch of the 21st of September, endeavoured to persuade him to soften his demands, and not to press for the rigorous punishment of the men who were guilty of these outrages in Bulgaria. The Turkish Ambassador, in unequivocal language, appealed to the forbearance, not of the Queen or the Government, but of the people of England. If, then, that despatch was written as from the people of England, we who represent the people were fully entitled to remark on the manner of its reception, and the entire avoidance of our demands. He had observed strong expressions outside the House as to that despatch being unworthy, unjust, and undiplomatic—something which an independent State ought never to receive from another State. But the fact was—no matter what words might be used on the subject—that Turkey was not independent, and had never been independent for a century past. No one had expressed that fact more clearly than Lord Salisbury himself, when he spoke of Turkey as a Power which depended upon the protection of others for its very existence. He could not help thinking that the old Parliamentary definition of independence might not be very ill-applied to the Ottoman Power. An independent Member of Parliament was once said to be a Member who could not be depended on; and he thought such a definition fairly expressed the amount of independence which we were entitled to attribute to Turkey. In fact, the despatch, from beginning to end, was a peremptory order to the Turkish Government to make reparation as quickly as possible for the greatest crime that had stained the history of the present century. What had the Ottoman Government done in answer to the appeal and orders of Her Majesty's Government? He did not think it was possible to say that, in the trials or sham trials which had taken place, the Ottoman Government had complied with that despatch in the smallest degree. In the first Blue Book they found that nothing had been done; in the last Blue Book they found that nothing had been done. Mr. Baring, in accounting for his departure in disgust from Philippopolis, said—"Murder, arson, pillage have been committed in broad day, and yet nobody has been punished." He had waded carefully through those despatches, and he could not find one word that went to show that the Porte had in any way complied with the wishes of Her Majesty's Government. The Government had been using the name of the Sovereign and expressing the feeling of the country; but their requests had been entirely neglected. That being so, he could not see what objection there could be to the first Resolution of his right hon. Friend (Mr. Gladstone). But an Amendment to the Resolution had been submitted to the House by the hon. Member for Christchurch (Sir H. Drummond Wolff), and that Amendment implied that the adoption of the Resolution would "embarrass Her Majesty's Government." How could that be the case? The policy of the despatch of September, 1876, was the policy of Her Majesty's Government. They admitted that they had been flouted and

scorned by the Ottoman Government. Could Her Majesty's Government be embarrassed by the House formally declaring what Her Majesty's Government themselves had declared over and over again? But the real fact was that the country had been told repeatedly, not by Her Majesty's Government, but by those outside, who were said to be friends of Her Majesty's Government, that it was a despatch which did not do justice to Turkey. [An hon. MEMBER: Name.] The hon. Gentleman could not have read the newspapers for the last six months. If the Amendment to this Resolution were carried, those who said the despatch did not do justice to Turkey might be satisfied; but he should have thought Her Majesty's Government who wrote that despatch, which fairly expressed the opinion of the people of England, would scarcely be satisfied. The second Resolution of his right hon. Friend stated that the Porte by its conduct to its subject populations, and by its refusal to give guarantees for their better government, had forfeited all claims to the moral or material support of the British Crown. Was there any Member of the House who would really deny that that proposition was true and ought to be affirmed? It would be curious to watch in the course of the debate whether any such denial would be attempted. Certainly, the proposition had not been denied by the Home Secretary in his speech of the previous evening. The right hon. Gentleman had said that England would be absolutely impartial in the war between Russia and Turkey, that Turkey was suffering for her faults, and that he had not a word to say for her. If so, why was the House to be precluded from pronouncing that Turkey did not deserve moral or material support from this country? So, again, in the Instructions given to Lord Salisbury it was stated that Great Britain was resolved not to sanction misgovernment and oppression, and that if the Porte by its obstinacy opposed the efforts then being made to place its Empire on a more secure basis, the responsibility for the consequences that might ensue would rest solely on the Turkish Government. Again, in the Blue Book issued a few days ago, there was a very interesting despatch from Consul Holmes, which expressed very clearly what the view of the English Government was as to the claim of Turkey to the moral support of England. He said—

"I have therefore thought it my duty to explain to them, that in the conduct of the British Government there has been no question of hostility to Turkey, or of friendship for Russia. That the efforts of Great Britain have been employed to bring about a peaceful solution of difficulties which endanger the very existence of Turkey, and that the only manner to do this was to go with Russia, as far as was just and reasonable, so as to be able to restrain her from action, and persistent in what was neither desirable for Turkey, nor Europe in general. I have pointed out to them that their Government and themselves have, by their conduct, rendered the position of their friends almost impossible, but that even now the desire of Great Britain is to see them, if there is yet any hope, prosperous and powerful; but that this is utterly impossible so long as their Christian fellow-subjects are oppressed and ill-treated, and the character of their Government remains the same."

"I have reminded them of the long years during which England has steadily supported and befriended them, and asked them whether, in private life, they would continue to do the same to any person whose promises of good conduct were never fulfilled, who was always affording justification for the assertions of his enemies, who ill-treated his dependents, who borrowed money which was squandered, and of which repayment was refused, and who, finally, repudiated advice given for his own safety and reinstatement. I added that they and their Government had one chance more, and that was to avail of the present to show that there was a real determination to reform their wretchedly corrupt and unjust system of administration, and substantially improve the condition of their Christian subjects, in which case I felt convinced that they would have no cause to complain of the attitude of Great Britain towards them."

And if it were said that this expressed Consul Holmes's view, not that of the Government, it was only necessary to read a few pages further the despatch distinctly approving Consul Holmes's language on this occasion. In fact, Her Majesty's Government, in the strongest possible manner, had told Turkey that she had forfeited all claim either to the material or the moral support of this country; and that was all that the second Resolution expressed, and expressed in unmistakeable terms. He now came to the question started by the Mover of the Amendment last night—namely, that of British interests. It was suggested that the passing of that Resolution would in some way tie the hands of the Government so that they

would not be able at the proper time, if it ever came, to give due attention to the protection of British interests. Now, on that point he had heard with very great satisfaction the statement of the Home Secretary. If ever there was a statement which dispelled a whole cloud of popular and vague theory as to British interests it was the one made last night by that right hon. Gentleman. It had been dinned into their ears for weeks, if not for months past, that they were to do something to prevent Russia from going to India. Now, he did not think that the Home Secretary even alluded, unless it was very distantly and parenthetically, to India. We had lately heard that unless we stopped the progress of Russia she would get to the Euphrates Valley, from the Euphrates to the Persian Gulf, where she would build a naval station from which fleets would come, imperilling our interests in the Indian Ocean. He was happy to find that the Home Secretary gave no countenance whatever to those alarms. But the right hon. Gentleman had alluded to the points at which they ought to be careful about British interests in that or in any war which might break out, and had referred to the Suez Canal and to Alexandria—a town which he had been rather surprised to hear a Minister speak of as a French, an English, or an European town, in oblivion of his own declarations about the independence of the Ottoman Empire of which it formed a part. However, there was no question that if our great interests at Alexandria and the Suez Canal were endangered we should be entitled, and every English Government would be bound, to protect them. But which was the great naval Power against which we had to protect them? Was it Russia? Why, they heard continued boasts about the greatness of the Turkish Fleet, and of its power to give a good account of any squadron which Russia could send into the Mediterranean against it. Certainly, British interests ought to be protected; but against whom was it within the bounds of possibility that they would have to protect them unless it was against Turkey, which had the more powerful fleet, and not against Russia? Interference with the freedom of passage in the Suez Canal was far more likely to come from Turkey than from her enemy. The same remark applied to the Dardanelles, where, the right hon. Gentleman said very truly, this country had great interests. Therefore, all they came to, when the protection of British interests was brought before them by the Home Secretary, was the probability of Turkey, rather than of Russia, taking steps which might interfere with the undoubted liberty we ought to have for trade at Suez, Alexandria, and the Bosphorus. [Mr. ASSHETON CROSS: I did not say so.] No; but he was describing what were the realities with which we should be faced, if the right hon. Gentleman's account of our interests were true, and as to those interests themselves there was practically no dispute between them. The protection of British interests would be, in his opinion, first rendered necessary, not in consequence of an attack by Russia, but from complications arising through the action in the Suez Canal or the Dardanelles of Turkey. So far, therefore, as to the appeals for immediate action against Russia which had gone up and down the country for the last few weeks, they had been set aside, and they might take it that the right hon. Gentleman attached their due importance to them, though he was not sure that that was the view taken by the Members of the Government as a body. The House had delivered to it within the last day or too a despatch from Lord Derby to Lord Augustus Loftus, dated May 1, in answer to Prince Gortchakoff's Circular, announcing that the Russian Armies had been ordered to cross the Turkish frontiers; and he was bound to say—and he said it with all sincerity—that he thought a more ill-advised, more violent, and more provoking despatch had been rarely laid before them. There was hardly a paragraph in it which did not contain language which a Power like Russia could not but feel to be a direct or indirect attack upon her; and hardly a paragraph which was not a distinct encouragement to Turkey—a mitigation of all that Turkey had done, and an encouragement to her, he did not say to walk in the same course as she had done, but to expect sooner or later the moral support at least of Her Majesty's Government. Whoever had written that despatch must have been singularly forgetful of what he had been writing a few days before. Lord Derby in that

despatch, referring to the expressions used in the Protocol, said—

"The Porte no doubt has thought fit—unfortunately in the opinion of Her Majesty's Government—to protest against the expressions in question as implying an encroachment on the Sultan's sovereignty and independence. But, while so doing, and while declaring that they cannot consider the Protocol as having any binding character on Turkey, the Turkish Government have again affirmed their intention of carrying into execution the reforms already promised."

The despatch went on to refer to the presence of Russian Forces on the Turkish frontiers as standing in the way of the execution of the projected reforms, and spoke in terms of condemnation of the action of Russia generally. What could that despatch mean? It could only mean that while Her Majesty's Government admitted that Turkey had committed some error of judgment, they desired it to be understood that the offence of Russia was infinitely greater. Compare this with what Lord Derby had said a few days before, when, on the 15th of April, writing to the Chargé d'Affairs at Constantinople, he pointed out that if Turkey recklessly refused to assent to the proposals on the part of the Powers, she would give Russia the opportunity of putting her in the wrong in the eyes of Europe. Now, there was nothing about "reckless refusal" in the despatch of the 1st of May, and nothing about her being "put in the wrong." He would also refer hon. Members to that remarkable despatch describing Lord Derby's interview with Musurus Pasha, and the description he then gave the Ambassador of the conduct of the Porte. Altogether that despatch was an unworthy despatch to have emanated from any Government. It was highly provocative to Russia in every sense of the word; but there was one remark in it which he could not help noticing—namely, that the course on which the Russian Government had entered involved serious considerations, and was "in contravention of the stipulation of the Treaty of Paris." These were serious words. They implied that the Treaty of Paris had been violated by some act originating with the Russian Government; but he would remind the House that Lord Derby, in September last, expressly declared that war with Russia, which Her Majesty's Government could do nothing to prevent, would bring this country into opposition with its previous engagements. That was an assertion that if Turkey persisted in the conduct it was then pursuing, it would compel this country to violate her Treaty engagements. Well, Turkey did persist in the course she was then pursuing, and now Russia was told, not that we were violating our Treaty engagements, but that she was doing so, and doing so not by the fault of the Porte, but by her own act. When that despatch was penned some one ought to have reminded Lord Derby of his previous language. The despatch, he presumed, emanated from the Cabinet, and they could know nothing of Cabinet secrets; but he could not help thinking that, though the hand was the hand of Lord Derby, the voice was Lord Beaconsfield's. That being the case, such a temperate Motion as had been brought forward by his right hon. Friend, and such a debate as was now taking place, were, in his humble judgment, not only opportune, but most necessary; thoroughly consistent with that definition of the duty of an Opposition which had been stated with such force lately in another place—namely, that when a Government appeared wavering between two courses, one wise and the other unwise, to impress the former on the country by a Parliamentary Vote in a manner alike temperate and unequivocal. No one could deny that there had been during the past few days a powerful endeavour on the part of the Press to mark the difference which existed between the two sections of Her Majesty's Government. In the Press which represented the Conservative Party, both in the daily and weekly organs, those differences had been accentuated in the clearest possible manner, and it was to those differences that he would refer hon. Members who thought the recent conduct of Her Majesty's Government consistent with the Blue Books. He had recently read in the principal organ of what he might call the intellectual Conservatives an article which, referring to the Amendment of the noble Lord the Member for Haddingtonshire (Lord Elcho), put the case admirably, and he would read a sentence from it. The article said—

"The question at once arises of confidence in the British Government—a Government which can accept a Resolution like the Resolution of the noble Lord—one which professes to be concerned, in the first instance, for the future safety of the Christian populations. On a matter so serious as this the country will not much longer endure to remain in ignorance, whether we are governed by Lord Beaconsfield or Lord Salisbury, or whether or not the control of the foreign policy has or has not passed from Lord Derby to Lord Salisbury."

That extract was taken from *The Pall Mall Gazette*, a paper which hitherto had been the consistant supporter of the Foreigu Office. It was from friends like those that they were doing their best to protect Her Majesty's Government; it was from friends like those—not isolated, not to be found only here and there, but pervading all society that the real danger arose. From that point of view he could not help thinking his right hon. Friend (Mr. Gladstone) had done a good work in bringing forward his Resolutions. They would, at any rate for a time, save the country from being dragged into the fatal policy of which the despatch to Prince Gortchakoff was the latest expression.

VISCOUNT SANDON: If I had felt uneasy at any period as to the future of the Conservative Party, after the speech of the right hon. Gentleman who has just sat down I should have felt very considerably relieved. The right hon. Member has talked of the "intellectual Conservative Party," a very different name from what was formerly applied to us by hon. Gentlemen on that Bench—and beyond this, he has been kind enough to say that the Opposition were willing to protect Her Majesty's Government. What with such an acknowledgment of our intellectual position, and with an offer of such doughty aid, I must conclude that the dark days of the Party are over. We have, in fact, been promoted, and I hope the Party is duly thankful for the kind things that have been said. Now, I am free to confess that on one point I agree with the right hon. Gentleman when he says that the proposal of the right hon. Member for Greenwich is one of vital importance. I will tell you why; but before dwelling on this point, I will briefly run over some of his remarks which seem to call for a reply. And in doing so, I must take exception to the extraordinary feeling of suspicion with which we have been treated in reference to the Bulgarian atrocities. What have we done in word or act to lead people to suppose that we lack, any more than the rest of the country, the common feelings of humanity? I would not yield to anyone in the feeling of utter detestation of those abominable transactions which so deeply touched the heart of England last Autumn, and, indeed, horrified the whole civilized world. But I confess to a sense of some humiliation, or rather, I should say, of strong indignation that anyone should have dared even to hint that anything but detestation could have been entertained with regard to this subject on the side of the House on which we sit. The right hon. Gentleman has expressed satisfaction that a hundred curious little stories, which were the product of London drawing-rooms and London clubs, have been blown away by the manly speech of the right hon. Gentleman the Home Secretary; and it is to be hoped that now, at any rate, people will cease to believe all these floating stories, which long ago they ought to have known had not a shadow of a foundation in fact. It seems to me the right hon. Gentleman has taken rather a curious course with regard to the despatch of Lord Derby of the 21st of September. That despatch, the right hon. Gentleman says, was not the despatch of a Ministry, but the despatch of a nation. I need hardly say that Government appreciates the compliment paid to them, and I, for one, am prepared to endorse all that the despatch contained. But then the right hon. Gentleman says that, if the attention paid to such a despatch of a nation is insufficient, the nation ought to reply. Surely it is a new doctrine to lay down that when the Foreign Secretary has written over and over again about the neglect with which the recommendations of a despatch have been treated, the nation should use some other mouthpiece. The whole responsibility of a Foreign Minister is gone if other persons, or even a Committee of this House, are to dictate to him his despatches. Then the right hon. Gentleman says it is generally acknowledged that Turkey is not really independent; but surely he could not have forgotten that the Representatives of all the Great Powers took as the basis of the Conference only last year the maintenance of the independence and integrity of the Ottoman

Empire? [Mr. CHILDERS: Lord Salisbury denied it.] Well, granting for a moment that the right hon. Gentleman's view is correct as to Lord Salisbury, in a case of this kind I must decline to accept the dictum of a Secretary of State, however distinguished, if it is in opposition to the formal assertion of the Six Powers of Europe, of which our own country was one. It is satisfactory to find that the right hon. Gentleman at least has some feeling about some British interests. He says he thinks Her Majesty's Government are bound to protect those interests. But British interests, he adds, are, as far as he can see, at present confined to the Suez Canal and Alexandria. That is a very curious statement. The right hon. Gentleman appears to forget altogether that there is such a place as India. India, according to him, is so trifling a spot on the map of the world that it is not worth mentioning. The right hon. Gentleman has had the advantage—and I wish I was able to say as much—of having lived in another Colony of England, and that marvellous Colonial Kingdom of Australia is so large, and its future so great, that I cannot but conclude that his long acquaintance with that Continent has made him overlook India and its vast interests and responsibilities. Such, however, is not the opinion of Her Majesty's Government. We have—is it necessary to avow it?—some regard for the Indian Empire, and for other British interests not included in Alexandria and the Suez Canal. Whether I am right or wrong as to his view of British interests, when I consider the whole bearing of his remarks as to the position taken up by Russia, I can only interpret the speech of the right hon. Gentleman—who spoke with the grave responsibility of a former Cabinet Minister—as meaning that he gives his approbation to the course which Russia is now following. I am sure that the country is by no means aware of the conversion of the front Opposition bench on the subject of Russia. It is high time it should be known, so that the country should ponder well the results likely to follow from this extraordinary state of things. Now, surely I am justified in my remarks. For I confess I was no less astonished than alarmed when I heard the observations which fell the previous night from the right hon. Gentleman the Member for Greenwich, who expressed the opinion that Russia "has made itself the organ of the collective will, the united judgment, and the solemn conclusions of Europe." These words seem to bear one meaning alone—namely, that Russia is justified in going to war. Then, looking to another section of the House, I find an hon. Member below the Gangway—the hon. Member for Birmingham (Mr. Chamberlain)—saying that he did not see how Russia could have refrained from taking further steps in order to attain the object she had in view. In this, again, is distinct approval of Russia going to war. These views of hon. Members may be right or may be wrong; but it is certainly an important view of foreign affairs which is coming out before the country, which these declarations coming from the right hon. Member for Greenwich, from the front Opposition Bench, and from the Radical section below the Gangway, show to be the opinion of the Leaders of the Liberal Party—namely, that contrary to the formal judgment of France, of Germany, of Austria, and of Italy; contrary to the declaration of Her Majesty's Government and of the rest of this nation generally, if we may judge from the almost unanimous opinion of the Press, that Russia was justified in going to war. Now, the House is not only discussing the observations of the right hon. Gentleman who has just sat down, but is also more especially considering the very grave propositions of the right hon. Gentleman the Member for Greenwich. I will therefore pass away from the speech of the right hon. Member for Pontefract, and I would entreat the House to weigh well what are the real as well as the ostensible objects of the two Resolutions of the right hon. Gentleman. I suppose I may fairly pass over the third and fourth Resolutions, though I must say I am still a little puzzled—and I believe I am not the only Member who is puzzled—as to whether they have really been dropped. I am inclined to believe that the position is pretty much this—that they are physically dropped, but morally retained. [Mr. GLADSTONE: Materially dropped, but morally retained.] I thank the right hon. Gentleman for the word materially—it is just what I was looking for—they are materially dropped, but morally retained—but it seems to me

it is a very awkward position to assume —both for the right hon. Gentleman and for the House. It is very difficult to understand the material dropping of these Resolutions; but still more difficult to understand their moral retention. Now, are they or are they not really and seriously dropped? The right hon. Member for Greenwich said that "the first and second Resolutions were, in his mind, introductory to the third and fourth;" that he "looked upon the entire argument as one:" and that, "logically and morally, the Resolutions were connected in his mind." The hon. Member for Birmingham (Mr. Chamberlain) said he did not see how they could be separated. The right hon. Member for Pontefract (Mr. Childers), moreover, spoke of them in a laudatory manner, and held that, although the third and fourth Resolutions are not actually to be moved, Members are entitled to refer to them. So far, then, I understand the wish of the Opposition to be to enjoy the luxury of discussing all the points raised in the Resolutions without incurring the slightest responsibility attaching to an expression of a definite policy upon this most dangerous question. I cannot think I am wrong, when I look at this group of Resolutions, if I say that the speech of the right hon. Gentleman (Mr. Gladstone) in proposing them, ought, if followed out logically, to be first a Vote of Censure upon Turkey, and then a Vote of Censure on Her Majesty's Government. I cannot understand why the right hon. Gentleman, with the opinions he has expressed, does not move such a Vote of Censure. He may have felt a difficulty in getting numerically a majority to upset the Government; but, holding such opinions as the right hon. Gentleman holds, and feeling so strongly as he appears to do their importance, I cannot understand how the right hon. Gentleman—remembering the great position he has held as Prime Minister and as a leading Adviser of the Crown during many years, during periods of great difficulty—can justify his conduct in abstaining, in the face of the country, from proposing such a Vote of Censure. The right hon. Gentleman has told us that, by passing his Resolutions, he undoubtedly contemplates bringing about an alteration in the policy of the Government. That is to say that, as he declines to move a Vote of Censure, the Government is to be kept in power simply to do his bidding. Surely I need not remind the House that that would be a state of things which would be unprecedented in our Parliamentary history. The right hon. Gentleman has not hesitated to say that there has been no chapter in the history of our foreign policy since the Peace of Vienna so deplorable as the history of the last 18 months. Why does he not at once propose a Vote of Censure; or, rather, how can he reconcile it with his duty, as a former principal Adviser of the Crown, to refrain from endeavouring to drive from office Ministers whom he considers guilty of such misconduct? He has asserted in so many words that England has been the sole obstacle to the success of the Conference. That, if true, is a proper cause for the impeachment of the Government. Again, he represented Her Majesty's Government as playing the part of "the evil genius of Europe"—those were his very words: now, holding such opinions, the very least thing the right hon. Gentleman could do would be to move a regular Vote of Censure on Her Majesty's Government; and, at any rate, to give the nation an opportunity by their Representatives of expressing their judgment on such a grave position of affairs. But no; he refuses to put the question to a test; and let the House think what a position the right hon. Gentleman has tried to put the country in. Surely in the conduct of its foreign affairs there can be nothing more fatal to a country's influence in the councils of the world, and consequently to its safety, dignity, and prosperity, than the suspicion that it is under a dual Government. Now, what does the right hon. Gentleman do? He scatters insinuations of dissensions within the Government, and he throws these supposed dissensions, of his own imagination, which every Member of the Government knows to be groundless, in our teeth as the most damaging charge he can make. He proceeds to declare that not only is there a dual Government in the Cabinet; but also that the country is divided—one Party supported by a majority of the House and by the Sovereign, and another—in his opinion the larger one—supported by large public meetings and by the general public out-of-doors. This is

surely an intolerable position. The public ought to settle, aye or no, whether there is this division of opinion in the nation, and whether, in such a momentous crisis of the world's affairs, there is to be a dual Government—not as the right hon. Gentleman most recklessly asserts within the Cabinet—but whether he himself, shrinking from proposing a Vote of Censure, without responsibility, is to wield the foreign policy of this country; or whether it is to be still entrusted to the full responsibility of Her Majesty's present Advisers. [Mr. GLADSTONE: Hear, hear!] The right hon. Gentleman cheers me; why does he not then boldly, and in a straightforward way, propose a Vote of Censure? No one can suppose that these attenuated Resolutions assume anything like the proportions of a Vote of Censure. I agree most cordially with the right hon. Gentleman that the position of affairs in the East is very grave and serious, and is enough to make anyone familiar with those countries, as I am, very unhappy. But I wish to ask the right hon. Gentleman whether he thinks that the social and municipal reforms which are urgently required are likely to be successfully started in the face of an insurrection in a country honeycombed by foreign emissaries and threatened on every frontier by the large embattled hosts of its hereditary and relentless foes? I beg the right hon. Gentleman to give his best attention to what I am about to say. Since the settlement of 1856 there have been many years of profound peace in Turkey and also in Europe. There were years of peace—years of the greatest importance to Turkey—during which the British nation stood justly high in the opinion of the people of the East and the West. The Party with which the present Government was connected had no real share of power during those 20 years. They were occasionally in office; but, owing to circumstances, they had no substantial power during their short tenures of office, and being weak in support at home, could not influence to any sensible extent the foreign policy of the country. The right hon. Gentleman, on the other hand, was a leading personage in every Government—except the Conservative Governments — since 1856. Well, what was he doing, and what has he done for the Ottoman Porte during that time? Was he using the name of England to support sensible reforms in Turkey? Was he trying to use his influence with the Turkish Government that the taxes should not be farmed, that the police should be improved? Has he been endeavouring during those years to establish a European concert of the Great Powers? I do not refer to the events in Syria and the disturbances in Crete, because these were periods when the European Governments, as a matter of self-preservation, were obliged to do something. But I am talking of the quiet years between 1856 and the time when the right hon. Gentleman went out of office. He praises Lord Stratford de Redcliffe as a man of masterly ability, of iron will, and he acknowledges that some few improvements were made in Turkish administration during those two short years after the Crimean War, during which Lord Stratford was able to remain at his post. But why, I want to know, did not the right hon. Gentleman and his Friends search out for such men as Lord Stratford, whom he so highly praises, and man every Consulate and Embassy in the East with persons of that type and calibre, so as to assist in producing in times of peace those reforms which he now seeks to impose upon the Turkish Government by force of arms in a time of terror and distress? It is clear to me that the right hon. Gentleman is not without certain regrets in this matter, and that his conscience is constantly calling him to account; and I quite understand the plaintive tone in which the right hon. Gentleman admitted that, although there had been remonstrances in these years from his Government when he was in full power, these remonstrances were, as he says, "not very numerous." The golden opportunity was missed, those years of peace were neglected by the right hon. Gentleman and his Friends, the real time for reforms was quietly and calmly allowed to pass. No, Sir, the more you examine the matter, the more clearly does it come out that Turkey received very little friendly advice from the right hon. Gentleman; and, forsooth, the present Government are now to be condemned because they cannot introduce large domestic reforms in a time of disquietude and trouble, when Turkey is torn to pieces by internal dissensions and threat-

ened by foreign war. What does the right hon. Gentleman really ask the Government to do? I have picked out a few of the salient phrases from the right hon. Gentleman's speech of last night. I would beg the House to give them their best attention while I read them. He said—

"But if I am to look at the tone and tenor of the declarations of the Government for the last two or three months, I am sorry to say that they seem to me to be relapsing into a position in which the outrages inflicted by the Government of Turkey are to be contemplated as matters of sentimental regret, and for idle and verbal expostulations."

He proceeds to ask—

"But the question remains, How are these terrible evils, which afflict Turkey and disgrace Europe, to be met? Are they to be met by remonstrances and expostulations only? The answer echoed back from the Ministerial benches is, 'By remonstrances and expostulations only.' Now that, I believe, human nature, the conscience of mankind, and the civilization of the nineteenth century, will no longer bear."

And he declares that—

"It is time to remonstrate against remonstrances, and to protest against protestations."

All this surely means that there ought to be no more words, but deeds. The right hon. Gentleman added that this state of things required an effectual remedy. And the right hon. Gentleman did not hesitate to conclude his remarks of this nature by complaining that—

"We ought to view with regret and misgiving anything that puts a single Power in a position to take such a charge upon herself."

As far as I can interpret the right hon. Gentleman's words—which it is sometimes difficult to do, when the House is carried away by the charms of his rhetoric—undoubtedly the right hon. Gentleman requires further action, and—I cannot think that I misrepresent the right hon. Gentleman—that further action only means war against Turkey in concert with Russia. I should be only too charmed to find I am wrong in this impression; but, after the failure of the European Conference, and every conceivable negotiation between all the Powers during the last 18 months, can any reasonable man suppose that this further action can mean anything else but war? The House thus comes face to face with the proposal of the right hon. Gentleman that we are to join Russia in fighting against Turkey. What, I ask, is to be the position of this country in the great war in which we are to take part? Are we to go into it without any allies except Russia? As far as I can judge from the Blue Books, Italy is by no means to join us in war against Turkey, Germany refuses point blank, France assures us she has no notion to take part in the crusade, and Austria repeats as emphatically the same tale. The country, then, would be put in this very serious position, that we were to go to war—at the bidding of the right hon. Gentleman—against Turkey in concert with Russia, and with no other ally. ["Hear, hear!"] I am, indeed, surprised to hear that cheer from hon. Gentlemen below the Gangway—for what, I ask, is to be the object—what are to be the hopes—of this joint war with Russia against Turkey? Are we to fight under the standard that has been raised by Russia "for Faith and Fatherland?" The right hon. Gentleman surely does not wish to raise that dangerous war cry of the Cross, which either has been or may most probably be raised by our supposed ally? Or does the right hon. Gentleman propose to fight it out on the proposals which the European Conference originally laid down? Or are Her Majesty's Government to arrange simply that the Governors of certain provinces north of the Balkans should hold office for five years, that the police were to be reformed, that an International Commission should sit, and that the taxes should be no longer farmed? Surely the right hon. Gentleman does not want this country to enter into a great war, to sacrifice countless valuable lives, and to waste its treasures for such a cause as this. What does the right hon. Gentleman wish England to fight for? I have shown that it is war clearly to which the right hon. Gentleman would commit us; and, even at the risk of wearying the House, I desire to make out what we are to fight for. I want, in fact, to unravel the policy of the right hon. Gentleman before hon. Gentlemen opposite and the nation are committed to it. I am told he wishes us to fight for autonomous States north of Constantinople. What, then, I say, does the right hon. Gentleman mean by "autonomous States north of Constantinople," and why are we to fight, and can we

expect to fight only for autonomy north of Constantinople? These States have been sketched in the right hon. Gentleman's early works on this subject, where he alludes to them as States from which all Turkish officers should be banished. If once we began to establish autonomous States there, all the other nationalities of Turkey will at once ask for them. Now, I have wandered through all the countries between Syria, Persia, and Armenia, and have dwelt with most of the ancient and various races which people these strange and interesting regions; and from my own knowledge of them, I can say that every one of these nationalities aspires after autonomy; but, at the same time, I must express my conviction that, high though the qualities of some of them are, autonomy would be a fatal gift to them, would involve them in endless feuds with their neighbours, and would plunge their country into such a state of anarchy as would be ruinous to all concerned. If, then, we go to war for autonomous States north of Constantinople, we have a most serious flight of demands for similar changes from the other nationalities. If England should plunge into this war, everyone must see that she would, by so doing, reverse the whole of our ancient policy, would astonish Europe, and disturb all the Mahomedans of India. For what purpose, then, should we go to war? I cannot see any sufficient reason or purpose in those I have hitherto discussed for this war with Russia, without any European allies, against our ancient ally; but it must be for some large—some world-wide purpose. But, granted there is sufficient reason, and suppose we do go to war, and suppose that Turkey is overcome, and her fleet is destroyed, what difficulties should we still have to face? The real difficulties would then begin. England and Russia would have, in fact, to settle between them the great question of the East. A dual Government, as we have already said, is mischievous in a single country; what would dual management be in determining this great problem? "Can two people walk together unless they be agreed?" After what type are the constitutions of the new States all over Turkey to be formed? England prides herself on free representative institutions, freedom of speech, on the toleration of every creed, on her free Press, on her free trade. Is it likely that Russia and England would be agreed in those respects? I do not wish to say anything against the domestic policy of other States. They are perfectly free, of course, to select their own line in these matters; but is it not a matter of notoriety that the Russians, or the ruling classes in Russia, are devoted to a military and despotic Government? They closely supervise the Press; they do not allow the toleration of other creeds; they are in favour of the strictest Protective duties. Is it in the slightest degree likely that these two Powers, England and Russia, could agree as to the government of the States that were to be torn from unhappy Turkey? But when we have torn up Treaties, disturbed Europe, and astonished Asia, should we have a chance of establishing a series of free States? Could Russia permit the establishment of such States either on her European or her Asiatic frontiers? Certainly not. We should have then to be parties to the establishment of States after the model of Russia, and that will be a pretty position in which the Liberal Party, following the lead of the right hon. Gentleman the Member for Greenwich, will, after infinite bloodshed and heavy taxation, find themselves landed. The question involved is so very serious that when once it is considered I can hardly believe that many hon. Gentlemen will be found to follow the lead of the right hon. Gentleman the Member for Greenwich in a course which will lead to such a prospect of future evil and peril, with hardly any compensating good in view; and I am confident the country, in any case, will not support him. The right hon. Gentleman, I may fairly say, has shown us no tenable alternative policy to that of Her Majesty's Government. I think, therefore, we have a right to demand that we should no longer be subject to these semi-Votes of Censure; and that we should ask the House, with one accord, to suspend all Party feeling, and to accept the proposal of my hon. Friend (Sir H. Drummond Wolff), and to declare that they decline, at such a critical moment as the present, to embarrass Her Majesty's Government by any fanciful Resolutions, however eloquently they may be submitted to the House and with whatever noble sentiments they may be surrounded. Now,

the right hon. Gentleman's Resolutions, beyond being a censure on Her Majesty's Government, are also a censure on the Government of Turkey, and is it Parliament's business to pass such a censure on a friendly State? Is it generous and right to do so when that State is in the very agony of a foreign invasion? During the Franco-German War we heard a great deal about neutrality, and England was asked by both sides to observe a benevolent neutrality—which I confess has always appeared to me to be a contradiction in terms. Now we are asked to observe a benevolent neutrality towards Russia, and to pass a Vote of Censure upon Turkey, and by so doing we are clearly invited to commit a breach of that neutrality which Her Majesty has only recently, with the general assent of the nation, proclaimed. What, I would once more ask, does the right hon. Gentleman's Motion mean, even if we accept it for the moment merely as a Vote of Censure not upon the Government, but upon Turkey? The right hon. Gentleman himself explained it when, in reference to Lord Derby's despatch, he said—

"Now, Sir, I pass from this general argument to the first Resolution, and to Lord Derby's despatch. That despatch involved one of two things. It was either a declaration that ought to have been followed up, or else it was a gross and unwarrantable insult to Turkey. There is no escape from the dilemma. You have no right to go about flinging those violent words in the face of any Power, unless that Power has made itself a criminal before Europe; and if that Power is to have your moral support, you have certainly no right to use such language. You were bound either to tear that despatch into shreds, or to go further in your own vindication."

What does that word "further" mean? It means action; and action I have already shown can, under present circumstances, only mean war. The right hon. Gentleman blamed the Secretary of State for having penned in his despatch words which either intimated that England would, in certain circumstances, go further—that is to say, go to war—or, if not, for having insulted Turkey. What is the meaning of his present proposal but to pledge not the Secretary of State, but the House of Commons, to sanction language which, by his own confession, ought to be either followed up by action—that is war—or to be destroyed, to be torn to shreds by the House of Commons as an unwarrantable insult to Turkey? This passage of the right hon. Gentleman's speech throws a great light on the proceedings in which the House is now engaged; and I cannot imagine how any hon. Gentleman opposite who ponders over it can fail to see that if, in the sense the right hon. Gentleman proposed it, he votes for the two Resolutions, emasculated though they have been, he is voting for going to war with Russia against Turkey. It evidently must mean this—that the passing of the Resolution should be followed up by material intervention on the part of Her Majesty's Government. Nobody admires more than I do enthusiasm such as that of the right hon. Gentleman the Member for Greenwich and his followers, when they believed that the grossest oppression and the foulest crimes had been perpetrated. Real enthusiasm is always a noble thing, and seems to have something of the divine element in it, and, when true and genuine, lifts us above the sordid motives and petty calculations of ordinary life; but much though we honour such feelings, it is surely the business of a Government to see that they are not carried away by such sentiments, however noble, and look at affairs with the calmness which the great interests entrusted to them demand, for it is an enormous charge which Her Majesty's Government has to bear. Instead of talking of British interests, of which hon. Gentlemen opposite have thought fit to speak in contemptuous strains, I prefer to speak of British responsibilities—those heavy responsibilities which belong to us as the very heart of an enormous Empire. The question is not one of sordid interest, lust of pelf, desire of conquest, or pride of possession. We find ourselves at the head of an extraordinary confederation of the Anglo-Saxon race, that rules in every quarter of the globe, that has under its sway the swarthy millions of India, and has marked out for its own, by its commerce and Colonies, all the most favoured regions of the civilized world. When we glance at the map of the world, and mark how there is scarcely a commanding cape or beautiful island on which our flag does not wave, and when we remember—not without some pride and gratitude—that these possessions are for

the most part centres of freedom and justice and Christianity, how is it possible that we should not feel that it would be a grievous loss to the world at large if these fair regions were scrambled for by the nations, and were turned into scenes of turmoil and war? It is surely, then, from no sordid sense of British interests, but from a deep and overwhelming sense of British responsibility, that we look with the deepest anxiety upon any steps by any foreign Power—be they great or small, be they in the East or in the West — which threaten to break up that British Empire, or in the remotest degree to weaken that power which alone preserves to these vast and widely-scattered possessions the blessings of a peace and a prosperity such as other nations have seldom known. Whatever may be the opinion of hon. Gentlemen opposite as to the present danger of that Empire being assailed, we believe it to be our duty to watch and to guard it with the greatest jealousy. No apprehension of temporary ridicule, no dread of misrepresentation, no fear of attack from opponents, will shake our view as to the grave responsibility of our position, or will deter us from doing our best in our day and generation to hand down to our posterity the great charge we have received of the United British Empire—the most wonderful Republic of nations which the world has seen united under the most ancient and most beautiful of Crowns.

MR. HUSSEY VIVIAN said, that no policy would come from that (the Opposition) side of the House which would diminish the glory and the splendour of the British Empire. He denied that the Party with which he was connected had ever sacrificed British interests; and, in his opinion, those interests would always be safe in the hands of his right hon. Friend the Member for Greenwich, who was the foremost statesman of the age. He (Mr. Vivian) was one of the few Members now in the House who had the honour of a seat at the time of the declaration of the last war with Russia, and he honestly confessed that he had regretted the vote he had given on that occasion. England and France had intervened on that occasion to prevent the Turkish Empire being destroyed; and, consequently, he thought we were both responsible for the outrages which had since been committed by that nation. He was afraid that unless we took great care and did not speak out we should drift into war now as we drifted into war then, especially if some great Russian victory took place, and the troops of the Czar overran European Turkey and Asia Minor. The noble Lord (Viscount Sandon) repudiated the idea that there was a dual influence in the Government; but when they contrasted the speeches and actions of the head of the Government with what was said yesterday by the Home Secretary, they had a right to suspect and believe that a considerable difference of opinion existed in the Government. If this country had, at an early period, declared its determination that the system of misgovernment in the Turkish provinces should be reformed, at this moment no war would exist. If England had supported the Berlin Memorandum, Turkey would not have been insane enough to repel its proposals. He had heard with the greatest satisfaction of the appointment of Lord Salisbury to the Conference at Constantinople; but he proceeded to that Conference with such a weight hanging round his neck as precluded the possibility of success. In connection with Lord Salisbury's Mission to Constantinople it was very desirable to remember the circumstances in which his Lordship was placed. Did hon. Members suppose that the utterances of the Prime Minister exercised no influence upon the Turkish mind? Did they think that the declaration of the Premier that no more unjust war was ever waged than that which Servia declared against Turkey passed unnoticed by the Porte? Did they imagine that the Guildhall speech had not had its effect in encouraging the resistance of Turkey? All that being so, he must say that he was astonished at a man with the statesmanlike knowledge and power of Lord Salisbury accepting, with a dead weight around his neck, what could hardly fail in the circumstances to prove a thankless office. He would not call the policy of the Government puerile, because he did not think any boy would say to a bully at school—"I wish you would stop ill-using those little boys, but if you do not stop it is not my intention to give you a thrashing." He would not therefore call it puerile. It was senile—it was nothing but the outcome of old age—to

say to Turkey—"I will remonstrate with you, but I will not coerce you." The Home Secretary had stated the other day that it would have been most improper to have gone to the Conference and said—"If you do not do that which I recommend I will then be prepared to make war upon you." He agreed with the right hon. Gentleman; but was that the alternative? Surely, when we had a dispute with a man, and entered into negotiation with him, we did not necessarily say—"If you do not give way I will not go to law with you." We endeavoured by every means in our power to get the man to do what we wished; but, while acting in that manner, we did not inform him that we would not go to law with him. That, however, was in effect what the Government had told Turkey; and with what result?—that England had been insulted by the Porte. Our Ambassador had been sent away from Constantinople without even having the opportunity of taking leave of the Sultan, under the miserable pretext that the Sovereign of the country had the toothache. Such an insult had never before been heaped upon any country, so far as he was aware; and yet we continued to pay Turkey "delicate attention." That certainly was not a vigorous foreign policy, and that was the policy which had led to the war which was now in progress. He had the firm conviction that if the Members of Her Majesty's Government had said at once they so detested and abhorred the misrule of Turkey, that they would not allow it to continue, and that if necessary they would be prepared to join with others in insisting upon such measures being taken as would cause justice again to rule in that unhappy country, the present calamitous war would never have occurred. It was because the Government had not taken such a course that he believed the war lay strictly at their door. With reference to the Bulgarian horrors, he was very glad to hear the speech delivered on the previous evening by the Home Secretary. That right hon. Gentleman had expressed his detestation of those atrocities in terms which, so far as he knew, had not been used before by any Member of the Government; and that appeared to him to be a matter for congratulation. His right hon. Friend the Member for Greenwich spoke at length on this important point, and a considerable portion of his most able and eloquent speech—the most able and eloquent he had ever heard fall from his right hon. Friend's lips—was directed to fix on the Turkish Government the absolute responsibility for these massacres. This he thoroughly succeeded in doing; and it was rather extraordinary that neither the Home Secretary nor the noble Lord who had just spoken, after 24 hours' reflection on the speech of his right hon. Friend, had attempted to answer the case which he had so elaborately made out against the Turkish Government. He was glad to see the Chancellor of the Exchequer taking a note of this particular point, for he should be happy to hear any defence of the Turkish Government, if any defence could be made; which, however, he did not think possible. The portion of the speech of his right hon. Friend the Member for Greenwich to which he referred had been passed over by the Home Secretary and the noble Lord, and he, therefore, assumed that they considered it unanswerable, and that they regarded the Turkish Government as responsible for the crimes which had been committed. Well, if the Home Secretary and the noble Lord so detested and abhorred those atrocities, they must equally detest and abhor the Turkish Government. The two things followed as a logical sequence; and there was no escape from the position. What, then, was the policy of Her Majesty's Government? Did they mean to support Turkey? Were they now as fully bent upon upholding the integrity and independence of the Ottoman Empire as they had been during the past year? Or did they not think that the time had come when some arrangement might be made by which the oppressed provinces might be better governed than they had hitherto been or were now by the effete and worn-out administration of the Ottoman? The noble Lord who preceded him in the debate had asked what was the policy of his right hon. Friend the Member for Greenwich? but his right hon. Friend was not bound to have a policy. The Government, however, were bound to have a policy; and what was it? He had not the smallest conception of what it was. He had certainly been somewhat relieved by the speech of the Home Secretary; but what was the policy of that speech? It was a policy

of strict neutrality. Well, strict neutrality was a very good policy for the time being; but what of the future? He wanted to know whether Prince Bismarck was spoken to, and if he entertained those fears of Russia which hon. Gentlemen opposite appeared to entertain. Did they suppose that this was the only country which had cause to fear Russian aggression? Austria and Germany were as much interested in the Danube as we were in the Bosphorus and Dardanelles, and they might be certain that neither Austria nor Germany would ever allow Russia to take possession of Constantinople or the northern provinces of Turkey. The Government knew what Prince Bismarck had said on this subject and ought to give some intimation of it to the House. The Chancellor of the Exchequer stated some time ago at Edinburgh that all private Members were utterly ignorant of foreign politics.

THE CHANCELLOR OF THE EXCHEQUER: I did not say so.

MR. HUSSEY VIVIAN: Perhaps the right hon. Gentleman will inform us what he did say then.

THE CHANCELLOR OF THE EXCHEQUER: What I said was that a great many of them did not understand foreign politics.

MR. HUSSEY VIVIAN said, that when he read the statement attributed to the Chancellor of the Exchequer it struck him as a very strong one. He had sat in that House for 25 years, and had never before opened his mouth on foreign policy, yet he took a great interest in the subject. He admitted that private Members had not access to the documents to which the Chancellor of the Exchequer had access; and therefore he hoped that the right hon. Gentleman would give the House some insight into them, and tell them what were the opinions of Prince Bismarck with reference to Russia and the northern provinces of Turkey. Syria and the coast of the Mediterranean were matters of deep interest to France and Italy as well as to England. What was the policy of the Government as to them? Were they going to uphold the Turkish Empire inviolable with all its terrible consequences? If not, and if the knell of the Turkish Empire had sounded—which, for his part, he fully believed was the case—what was their policy? Egypt and the Suez Canal were of great interest to this country. He went further, and said that the Mediterranean shores of Asia Minor and the Euphrates Valley were also of great importance to us. Russia could not be allowed to take possession of Turkey. Were they prepared to re-establish the old Byzantine Empire? The Emperor Nicholas always said he was not prepared for that; and the Emperor Alexander had pledged his word, in the most solemn manner, that he had no desire for conquest; and surely our Government, if they did not desire to uphold the Turkish Empire, should be prepared with some policy in the event of that Empire being broken up. What was it to be? Did they propose to establish an Empire, a Kingdom, or a Confederation of States? He saw no reason why there should not be a Confederation. It worked well in Switzerland. They might depend upon it that they could not maintain the integrity and independence of the Turkish Empire, and the country would never allow them to go to war again for Turkey. They were a strong Government and a united Party. He admired their unity; and it was only by unity that Parties were successful, and the sooner that was recognized by all the better. He had spoken strongly upon this Eastern Question; but whatever his convictions might be, he was not prepared to divide his Party on them. The Home Secretary had challenged them to say whether the people who attended the meetings held in support of the Resolutions of the right hon. Member for Greenwich were informed that the logical consequence of them was that a war would ensue between this country and Turkey? Now, he had attended a public meeting of his own constituents, very near the place where such heroism had lately been displayed by the miners, and he told the meeting that the logical consequence of the course recommended might be war. No resolution for war was put to the meeting; but he was firmly convinced these gallant men would, if the necessity arose, back any Government in this country in a war to prevent the recurrence of the inhuman massacres and the horrible condition of things that had subsisted for so many years in the Turkish Empire. If, on the contrary, the Government should

ever be desirous to go to war in favour of Turkey, he wished to let them know that there was a Party in the House of Commons which would prevent them getting one farthing until they had taken the sense of the country on the subject. If the Conservatives wished to send the Liberals to the other side of the House with such a majority at their backs as they had never had before, they had only to go to the country with a policy of that kind.

MR. PERCY WYNDHAM said, the hon. Gentleman who had just sat down surely could not desire that the Government should have used threats to Turkey which they did not intend to carry out. Such conduct would neither have been honourable or conducive to the interests of the country, nor would it have had any effect on the attitude which Turkey had determined on all along, if Russia had gone into the war with Allies or not. The hon. Gentleman belonged to a Party which, for the last 15 years, had been preaching the doctrine that this country should not go to war on any consideration, however great the moral obligation might be, unless the individual defence of this country was concerned. [Mr. HUSSEY VIVIAN: I beg pardon. I do not belong to any such Party.] Well, he (Mr. Percy Wyndham) had had the honour of sitting in that House for 17 years, and those were the sentiments which he had invariably heard from the opposite benches. Moreover, only two Sessions since, at the instance of the hon. Member for Merthyr (Mr. Richard) that House affirmed a Resolution, supported by hon. Members on that side, that no dispute should henceforth be settled by war, but by arbitration alone. It would be a matter of regret if, owing to the Resolutions being brought forward in a mutilated form, it had not been open to the House to discuss the question in its entirety; but he was relieved from any apprehension of that sort by the course taken by the right hon. Gentleman (Mr. Childers) and the right hon. Member for Greenwich (Mr. Gladstone), as the speech of the right hon. Gentleman went beyond the Resolutions in their present restricted form. The country desired the discussion of the question in its entirety, and the time had come when its discussion might take place without harm, and even with public advantage. The time for mediation and advice had gone by; negotiations had ceased, and therefore a debate could not interfere with them. Such a debate, too, would show that while some in this House could not sympathize with Russia, there was no Party or section of a Party anxious for war. Although it had been challenged in that House, he believed the conduct and policy of Her Majesty's Government had been in its main features consistent. They had stated distinctly that they would mediate and give advice, but that they would not go to war to enforce their advice; and therefore the policy which had acceded to the Andrassy Note, which implied advice and not coercion; the policy which had refused to join in the Berlin Memorandum, which implied the enforcement of its provisions; and the policy which had led to the Conference, had been all one and the same. Although, however, the Constantinople Conference had been in accordance with the policy of the Government, he thought it an unfortunate manifestation of their policy, and forced upon them by the action of Parties out-of-doors. The idea of the Conference was, that the family of nations could treat one of their number as a Government treated one of its subjects, and oblige it to give security to keep the peace, and bind it over to good behaviour. He denied the truth of that assumption. No Treaty or Convention had ever given such a power, and it was entirely fatal to the principle of nationalities; and it was to remove the assumption which Russia had set up 20 years ago that the 9th Clause of the Treaty had been passed. The Conference had proposed that the Government of the Sultan should be superseded in his own capital—but only so far as to divorce power from responsibility. But that was not all, for autonomy, in the Provinces had been proposed. We had no exact definition of the meaning of that word, as applied to Turkey, and he doubted whether even Lord Salisbury himself had ever really thought out how it was to be applied to the Christian Provinces. Now, if there was anything on which hon. Gentlemen opposite seemed to be perfectly agreed, it was in maintaining that the Turks were morally effete; and if that were so, to endow such a people with autonomy would be absurd, for the

[*Second Night.*]

moment the existing form of government was removed, the whole fabric must fall to the ground. Indeed, the great hope of Turkey lay in a few of her upper classes, who had reform in her administration at heart, and in the great bulk of her middle and lower classes, who were as honest and as fit for good government as any people in the world. Then there were the Christians, who were wanting in every quality which was usually found combined with governing power, and in whose case nothing but evil, in his opinion, could result from trying a scheme of autonomy which would entirely ignore the changes and past history of the country. It was all very well to take such men, and to propose, as had been done, to set them on their legs again, to see how they would get on; but whenever such a policy had been tried it had ended in failure. He denied altogether that this question could be decided on moral grounds alone. The right. hon. Gentleman (Mr. Gladstone) had alluded again and again to the Bulgarian massacres, which every one deplored; but he had himself shown that even the most civilized nations, under the influence of panic, might commit cruelties which they afterwards deplored. With regard to the charge that the Turkish Government had employed irregular troops in order that the insurrection might be put down in the most cruel and effective manner, there was the evidence of Sir Henry Elliot to show that that course was taken by Mahmoud Pasha, acting upon the advice of General Ignatieff, who tried to persuade him that there was no insurrection, or danger of insurrection, in Bulgaria; and who, although he (Mr. Percy Wyndham) believed he would have hesitated to give such advice if he could foresee the cruelties to which it would lead, yet gave it as the enemy, not as the friend, of Turkey, knowing that the result of employing irregular troops would probably be to bring it into greater difficulties. A great deal had been said about the public meetings in this country: but he did not think public meetings, though largely attended, any great index of the feeling of the people in this country. There was a type of people who attended public meetings—a type found in all classes of society, and a great number of them in the Upper House. But the main body of the people did not care for public meetings. They disliked listening to speeches—and there was only one thing they disliked more, and that was making speeches themselves, and they never drew the inferences from them which hon. Gentlemen opposite seemed to draw. No word more true was ever uttered than when the noble Earl (the Earl of Beaconsfield) declared that the war was the work of secret societies; a statement which they might well believe when they remembered that one society had an annual income of £50,000, one-sixth or one-seventh of which was contributed by the Russian Government, and that at its head was a Russian Prince of the Blood. It was a rule, moreover, of the Panslavonic society, that no man could receive aid unless he had first made himself politically obnoxious to the Government to which he owed allegiance. Not very long ago, under the Government of Lord Palmerston, the right hon. Gentleman the Member for Halifax (Mr. Stansfeld) was driven from office, merely because he allowed letters sent to a foreign refugee, who had made himself politically obnoxious to his country, to be addressed to the residence of the right hon. Gentleman. But while Russia was at peace with Turkey, a Prince of the Blood of the former Power presided over a society whose sole object was to subvert the Government of Turkey. Mr. Baring in his Report said—

> "The deeds of blood I have spoken of and the misery I have witnessed must rouse just indignation in every mind; but the infamous conduct of those agitators, who, to serve selfish ends of States whose only object is territorial aggrandisement, have not shrunk from exciting poor ignorant peasants to revolt, thus desolating thousands of homes, and leaving a fine rich Province a legacy of tears, should not be allowed to escape without their share of execration."

He was surprised to hear hon. Members opposite declare that Mahomedan feeling in India was indifferent from what was going on at the theatre of war. Had they not seen but lately that two contributions of £5,000 had come from Hyderabad and from Delhi towards the relief fund for the benefit of Turkish soldiers? But such questions must not be decided on small and perhaps accidental matters of that kind, but by the rules which prompted the action of communities under such circumstances; and

if the force of Christian principles was strong enough to bring the Powers of Europe together at Constantinople, how could they venture to deny that the Mahomedans were uninfluenced by precisely the same feelings? He advised hon. Gentlemen opposite to take care lest, by their present course of action, they brought about the rise of a Mahomedan Power in India. He denied that this question ought to be decided by a comparison of Russia and Turkey. But if it was to be considered a moral question, he denied that we could not go into the past history of Russia and ask what she had done. Only the other day a Member of Parliament in his place had protested against any Papers being published that told against Russia. Russia, red with the blood of Poland, was the very last country in the world to whom should be entrusted the destinies of a weak people. In 1863 pickets were posted in some parts of Poland, and domiciliary visits were made, and 30 or 40 young girls were carried away in one night, children were massacred before their parents' eyes, and the wounded living were buried in one grave with the dead. If this matter was to be regarded only as a moral question between tyrannous Russia and wretched Turkey—whose sins, although great, were rather sins of omission than commission—that was a strong reason why we should look to our own interests as long as they were consistent with the interests of the world. If one talked of the interests of one's own country, one was regarded as deficient in humanity; but that was not his sentiment. Just as the best patriot was the best cosmopolitan, so that nation which respected its own interests and, if necessary, was prepared to defend them, was the best member among the family of nations.

MR. LEATHAM: Mr. Speaker, although I do not aspire, Sir, like the hon. Gentleman who has just sat down, to solve the Eastern Question in a five minutes' speech, yet, if the House will permit me, I should like to say a very few words upon one or two of the points which have been raised in the course of this debate. The hon. Member has not expressed much sympathy with the agitation of the Autumn; but the noble Lord (Viscount Sandon), who spoke with so much ability earlier in the evening, did express that sympathy, and so did the right hon. Gentleman the Home Secretary, in his powerful speech last night. Well, that is just what I should expect from the humane natures of the noble Lord and the right hon. Gentleman. But I think they had another sufficient reason for speaking warmly of this great outburst of public feeling, and it was this—that outburst of feeling was a perfect Godsend to the Administration of which they are distinguished Members, for it first gave the Government that lead of which up to that time it had stood sorely in need. For what up to that moment had been the course of the Government, if course we may call that which stands still? A mere blind clinging to phrases which had lost their meaning. The ancient philosopher made the discovery that the only thing he knew was that he knew nothing, and if we were to turn to the speeches delivered by hon. and right hon. Gentlemen opposite during the Recess we should find one burden in them all—"The only thing we can decide is that we can decide nothing." [*Laughter.*] Hon. Gentlemen did not perhaps say so in so many words, but they enlarged and enlarged upon the difficulties which beset this question until they had proved to their own satisfaction that we were in the midst of a perfect labyrinth, and then they proved that the only way out of it was to remain just where we were. It was the people of England, "most of whom do not understand questions of foreign policy;" it was the "malignity" and "criminal folly"—those were the phrases—of the right hon. Gentleman who moved these Resolutions which created a policy for the Government—and when the policy was created, when it had been accepted by the noble Lord at the head of the Government, when he had decided to send Lord Salisbury to Constantinople in order to carry out that policy, and when he had abandoned the "integrity and independence of Turkey," he turned round, like the Parthian in his flight, and, as he galloped away, he shot them both in our faces! Now, Sir, I wish to express my regret that the Party to which I have the honour to belong, having achieved so much in conjunction with the popular voice, did not stop here. I venture to think that our true line at the beginning of the Session would have been to have said to

the Government—"We have given you a policy—the policy of complete neutrality in case of war, the policy of an absolute renunciation of Turkey, and we intend by all the means in our power to hold you to it." Instead of that, what have we been doing? From the first day of the Session, at stated intervals, and at the hands of irrepressible Members, we have been making desultory and abortive attacks upon the Government; we have been nagging at the Government, we have been asking innumerable questions, which no one cared to answer, we have been making Motions about which no one cared to divide, and now we have a string of Resolutions, the most important part of which everyone rejoices to have been withdrawn. I say everyone, and I speak advisedly; for will it be contended that those who might have followed the right hon. Gentleman into the Lobby would have done so with very cheerful countenances? And, as regards those who felt compelled to vote against the right hon. Gentleman, why they would have given the most painful vote of their lives. I have sat in this House a good many years—longer than I like to think of—and during that period the right hon. Gentleman has had no more humble but no more steadfast adherent than myself. But I could not permit my admiration of the right hon. Gentleman, which has been unbounded, to blind my eyes to the fact that the third and fourth Resolutions of which he had given Notice were—I will not say mischievous, but—inopportune; more than that, they were dangerous. They were inopportune because they were sure to have been misconstrued abroad, and because they would have divided and weakened what I cannot but regard as the real party of peace and neutrality in this country. They were dangerous because there was war in them—possible war against Turkey, possible war against Russia; possible war against both! I desire not to misrepresent the right hon. Gentleman in any way; but I think I am right in saying that under certain contingencies the right hon. Gentleman contemplates armed intervention, and for armed intervention under the contingencies contemplated by the right hon. Gentleman I, for one, could never have voted. Granting everything which he dreads, and I dread it as much as the right hon. Gentleman; granting, if you will, that the war may terminate without any satisfactory arrangement for securing the liberties of the Christians; granting, further, that Russia may seek to recoup herself for the sacrifices which she has made by absorbing under her rule—a rule which I admit to be hateful—Provinces which I should desire to set free, what then? Are we to go to war to prevent it? and what, under such circumstances, would such a war be—call it by any fine name you please—but a war of mere sympathy? And when has mere sympathy been held to be an adequate motive for going to war since the evil days when we went to war in order to replace the Bourbons on the Throne of France — an instance which escaped the memory of the right hon. Gentleman last night. Sir, our whole attitude towards Europe has long ceased to be one of military menace—our whole military economy is planned for purposes of defence; and if there be one man in the country who is responsible for this state of things, it is the right hon. Gentleman himself. We have disentitled ourselves from entering with a high hand into the councils of Europe. We have disqualified ourselves from taking part in great military wars, because under the guidance of the right hon. Gentleman we have refused to augment our Army in competition with the enormous armaments of the Continent. To interfere upon the Continent as we ought to interfere, if we interfered at all, we must become as Russia has become, as France and Germany have become—a nation of soldiers; but knowing that a nation of soldiers is never very long a nation of free men, we have made our deliberate choice between liberty at home and authority abroad—a choice which the right hon. Gentleman appears to me to have entirely ignored.

MR. BAILLIE COCHRANE observed, that simultaneously with the unseemly discussion carried on in the House last night a meeting was held at St. James's Hall, in consequence of the Notice the right hon. Member for Greenwich had given of his Resolutions. That meeting was called together in the interests of peace, and one of the speakers (Mr. Cohen) said—

"You know many of us hold that it was England's duty, as it would not have been contrary to her interests, to have put pressure upon the Porte not by mere useless words, but in a

far more forcible manner. The Government actually opposed the only means that could have been effectual—namely, active coercion on the part of the Powers to carry out that which they demanded from the Porte."

That meant, in plain English, that censure was to be cast upon the Government by members of the Peace Society for not having declared war with Russia against Turkey. He regretted that the right hon. Member for Greenwich was not in his place to explain whether he approved the language held at a meeting almost convened on his authority ["No"], or, at any rate, in support of his Resolutions. The right hon. Member for Pontefract (Mr. Childers) ought, with his opinions, to have moved a distinct Vote of Want of Confidence in the Government. These frequent discussions, which raised no direct issue, tended neither to the dignity of the House nor to the advantage of the country. Let him state briefly his own view of that Eastern Question. They had existing between Europe and Asia a Power alien in creed and in habits from the other Powers of Europe, and also a Power ruling over Christian subjects, whose rule, he admitted, frequently violated the feelings of humanity. It might be asked why, then, did he advocate a policy different from that of hon. Gentlemen opposite? His answer was that the most eminent statesmen of past and present times had always seen that there was a very great difficulty in the position of Turkey; and he warned those who, in that House or in St. James's Hall, denounced the Turks and talked of a new crusade to exterminate them that they had not sufficiently considered what the Eastern Question really was. Turkey must be supported, to prevent any other nation from filling the place she occupied. What were the views of all thinking and responsible statesmen who had given their attention to that important subject? Even Lord Russell, whose humanity was not exceeded by that of the right hon. Member for Greenwich, said in October, 1867—

"The Crimean War was not a war for the defence of Turkey, but to oppose the designs of Russia. It is well known that the Emperor opposes all civil and religious liberty. I wish to see the people of Turkey entrusted with the government of their own country."

In 1828, when Europe was placed in pretty nearly the same position as now, the Duke of Wellington wrote to the Comte de Ferronaye—

"The invasion of the Turkish dominions in Europe and the occupation of Constantinople must not be viewed in the same light as other invasions and occupations which we witnessed in our days. I am convinced your Excellency feels as strongly as I have already expressed it, that we are all interested in the continued existence in a state of independence of the power of the Porte in Europe. We are not prepared for its destruction."

Again, writing to Lord Aberdeen, he said—

"If we look a little further at the case, we shall see still stronger reason for adhering to our Treaty. We mean to maintain the power of the Porte; and although we were ready to agree to the adoption of a mode of executing our purpose in Greece, consistent with the respect due to that Power, our concurrence in that mode was founded upon the necessity of coming to some settlement in Greece for the sake of the Porte itself. The independence of the Porte is important to all the Powers of Christendom. Its maritime independence, and particularly the independent exercise of sovereign authority in its own waters, is important to all the Powers of the Mediterranean and to all maritime Powers. The deprivation of this independent exercise of power, and the transfer of the responsibility for its exercise from the Sultan to the Emperor of Russia, is an alteration of the state of power in that part of Europe which is very important to the interests of this country."

Surely that opinion would have some weight with hon. Gentlemen who thought that we ought not merely to stand aside and allow a blow to be struck at Turkey, but to join with the Russians in attacking her. Now, he came to a still greater authority—namely, Lord Palmerston, who, according to the admirable biography published by the hon. and learned Member for Poole (Mr. Ashley), "hated war, but hated humiliation more, and thoroughly understood the character of Russia." Lord Palmerston wrote to Lord Clarendon in 1863—

"The policy and practice of the Russian Government has always been to push forward its encroachments as far and as fast as the apathy or want of firmness of other Governments will allow them to go, and always to stop and retire whenever it was met by decided resistance. In furtherance of this policy the Russian Government has always had moderate language and disinterested profession at St. Petersburg, and active aggression by its agents on the scene of operations."

Lord Palmerston also referred to the expulsion of the Turks from Europe and the establishment of a Greek Empire in European Turkey. He said—

"Such a scheme would be diametrically opposed to the principles of policy on which we have acted. I have no partiality for the Turks

as Mahomedans, and should be very glad if they could be turned into Christians; but as to the character of the Turkish Government and its treatment of Christians, I am well convinced that there are a vast number of Christians under the government of Russia, Austria, Rome, and Naples who would rejoice to be as well treated and to enjoy as much security for person and property as the Christian subjects of the Sultan."

In 1828, it was proposed to found a powerful Greek Kingdom, and the Crown was offered to Prince Leopold, of Belgium, a man of rare sagacity, who might be described as the guide, companion, counsellor, and friend of other Sovereigns. Had he accepted the Greek Crown, what was called *la grande idée* might have been realized, and many subsequent difficulties averted. But who prevented that? The Russian Government of the day, who strongly advised Prince Leopold not to accept the Crown of Greece. With regard to the Eastern Question with which we were now confronted, it was to be borne in mind that the events out of which it arose were not the growth of a day. They had been growing ever since the Crimean War. The right hon. Gentleman himself (Mr. Gladstone) had been in office during the greater part of that period and nothing was done, although he must have been perfectly well aware of the state of things. By the recent agitation in this country Russia had been encouraged in her traditional policy. No one had a higher feeling of respect for the right hon. Gentleman than he (Mr. Baillie Cochrane), and he, for one, never supposed that the right hon. Gentleman was actuated by any mean or personal motive. But when the right hon. Gentleman stirred up the country by his speeches and pamphlets, he did not sufficiently consider what he was doing, and the result was, Russia was misled as to the real feelings of the English people with regard to affairs in the East. The right hon. Gentleman had, no doubt, acted from the best of motives, but the blunder he committed was a grievous one. All were agreed in sympathizing with the sufferings of the Christian population. Where they differed was as to what should be done. Language had been used that night which seemed to approve the course Russia was taking in making war against Turkey. That war was carried on in the name of humanity. It was well, however, to consider the character of the Power which, if Russia was successful, would take the place of Turkey. Was it a Power which had displayed such humanity as to justify the expectation that under it the races whose condition it was desired to ameliorate would be better governed and enjoy a greater amount of liberty than at present? The House had heard from the hon. Member for Christchurch (Sir H. Drummond Wolff) of the persecution which peasants in Poland underwent a few years ago, and had been told on the authority of Reports published in a Blue Book how men received 50 lashes, women 25, and children 10, because they would not change their creed. It was said that several Polish ladies had been sent to Siberia for using what was deemed audacious language with respect to the Imperial Government, and had been compelled to march part of the way barefooted. About the proceedings of the Russians in Central Asia, a good deal had been learnt from books which had lately been published. General Kauffman had issued orders that when tribute was not paid, every man, woman, and child should be put to the sword and their villages burnt. He would appeal to hon. Gentlemen opposite to say whether the cause of humanity in Turkey was likely to gain much by the ascendency of a Power which was guilty of such acts? Unfortunately, he could not say with regard to Turkey—"Let well alone;" but they ought at any rate to know, before the Turkish Power was destroyed, what sort of Power was likely to take its place. If they found from history that Russia had not been governed on those principles of humanity and liberty which they all cherished, they would do well to hesitate before they encouraged her in her present undertaking. The Opposition asked—"What are your views of the course that ought to be taken?" and this was a question which it was of course more easy for an independent Member than for Government to answer. For his part, however, he would say, without hesitation, that he thought Her Majesty's Government ought to interfere when they calmly and reasonably believed that British interests were threatened. It had been said that other European Powers were as much interested in the Mediterranean and the

Suez Canal as England. Had Austria, or Germany, or Italy, an Indian or Colonial Empire, and was it not the case that three-fourths of the shipping that passed through the Suez Canal was English shipping? He maintained that English interests were bound up with the independence of the Mediterranean, and that England would find it necessary to oppose any Power which threatened that independence. It was ostensibly for the sake of the Christian races in Turkey that Russia had gone to war, and as those races were only on one side of the Balkan range there would be no necessity for Russia, in pursuing her ostensible object, to set foot on the other side of the mountains. If she did, it could only be with the view of marching to Constantinople. But if she crossed the Balkan mountains, it would be the duty of this country to stop her. In 1853 Lord Palmerston wrote to Lord Aberdeen—

"I hope you will order the Fleet to go up to the Bosphorus as soon as it is known that the Russians have entered the Principalities"—for his part he (Mr. Baillie Cochrane) did not go so far as to say that—"and also to go into the Black Sea if necessary, for the protection of Turkish territory. This will relieve England from the disagreeable and not very creditable position of not venturing to the back as friends when forcible possession has been taken of the front wall by enemies."

And writing to Lord Russell in the same year, Lord Palmerston said—"We must defend England in Asia as well as in Europe." It was said there was really no danger. He heard it asserted on all sides that Russia had really no intention of going to Constantinople. In answer, he would quote the words that the Emperor Alexander himself had used in replying to a deputation. The Emperor said—

"There is not a single Russian but dreams of the capture of Constantinople, and I would sacrifice my last rouble and my last man to prevent Constantinople becoming the capital of a Greek Empire or belonging to any nation but our own."

Could it be said, after that, that there was no danger? Without saying, like Lord Palmerston, that the country ought to take action whenever the Russians crossed the Pruth, he was certain that England ought to interfere if they crossed the Balkan. Sometimes he heard people speak of compensation for the occupation of Constantinople by Russia. There could be no compensation for it, and any Government worthy of the name would rather spend their last shilling and shed their last drop of blood than suffer such an occupation—an occupation which would be disastrous to the interests, not only of England, but of the world.

MR. BAXTER said, the hon. Gentleman who had just sat down had made a very strong attack on his right hon. Friend the Member for Greenwich, in regard to what he chose to call the agitation of the Autumn. The hon. Gentleman, however, forgot that that agitation had altered to a very large extent the policy of Her Majesty's Government; so much so that the hon. Member for Canterbury (Mr. Butler-Johnstone) than whom he could conceive no better authority, had stated in the House that his right hon. Friend had reason to be proud, inasmuch as during the Recess he had dictated the policy of Her Majesty's Government. He (Mr. Baxter) was also proud of having done his little part during the Autumn and Winter to open the eyes of this country to the frightful misgovernment of the Ottoman Porte. He was astonished to hear the hon. Member for West Cumberland (Mr. Percy Wyndham) say to-night that the sins of the Porte had been those of omission rather than of commission; and that, after the atrocities in Bulgaria, and after all we have been reading now for a year past. He had taken part in some of the meetings which had taken place, and he had addressed his own constituents on the subject. He had also taken pains on the spot to investigate some of the causes which had led to the present lamentable state of affairs. He was not going to make a Party speech; he had been in the House over 20 years and had never made a purely Party speech. He had another reason for not doing so now, because he thought that in a matter of this sort they ought as far as possible, to show a united front to Europe. And, besides, he was not so wholly dissatisfied with the new policy and the present attitude of Her Majesty's Government as many hon. Gentlemen who sat on his side of the House. He could not agree with many of the remarks which had fallen from his hon. Friend the Member for Glamorganshire (Mr. Hussey Vivian) in the very warlike speech he had made.

Though he had not taken an active part in foreign politics he had paid a great deal of attention to this Eastern Question, and he claimed the right to say a few words to-night, as he was almost the first man in this country who had brought the state of Turkey before the House of Commons. On the 18th of June, 1875, he took advantage of a Motion made by the hon. Member for East Gloucestershire (Mr. J. R. Yorke) to implore the House of Commons and the people of this country to look into the dreadful state of things existing in Turkey, and he warned them of three things—first that the Ottoman Porte was bankrupt, and would never pay one shilling of the interest or principal of her Debt; second, that some of the Provinces of Turkey were ripe for revolt; and, third, that there was a general impression over the East that massacres were impending more dreadful than those which some years ago had disgraced the Government and population of Damascus. He admitted that those warnings were treated at the time with a good deal of ridicule, but he did not give utterance to them without some foundation. He was simply relating to the House the nearly universal testimony of men of all nationalities, of all creeds, and of all professions he had met on the shores of the Levant, many of whom had begged and entreated of him to bring before the House of Commons the rottenness of the Turkish system and the imminence of a great disaster. When he was in Turkey he did not see Sir Henry Elliot. Everyone told him he was a much greater believer in the Turks than the Turks were in themselves; but he saw a good many Turkish Pashas, and all those gentlemen went out of their way to tell him in the freest manner possible, that no one of them believed in the permanence of the Turkish Empire, and that they had not invested their money in Turkish bonds. Something had been said by the noble Lord opposite (Viscount Sandon) about our traditional policy in Turkey. He thought it high time that we should once for all change our traditional policy in the East. He was not one of those who thought they ought to throw stones at the Government in this matter. His hon. Friend the Member for the Elgin Burghs (Mr. Grant Duff) said, we had been acting on imperfect information, and his remedy was to have more Consular authorities on the spot to keep them better informed. With all deference to his hon. Friend, he did not think it was there that the shoe pinched. It was very generally believed that proofs of Turkish misgovernment were never very welcome, however well-founded, either at the British Embassy at Constantinople or at the Foreign Office in London. It was a great mistake to suppose that it was only the Christians who had been oppressed in Turkey. The Mussulman peasantry, especially in the Asiatic Provinces, complained equally with the Christians of the undisguised venality and oppressive taxation of the Constantinople Government. That this was so was amply proved by the Report of Mr. Calvert, Her Majesty's Consul at Rustchuck, and the Special Correspondent of *The Times* at Bucharest, the latter authority speaking of the complaints of the Mussulman peasantry at being taken from their homes and driven to fight for the Constantinople Government. When the Resolutions were first laid upon the Table he felt at once he could not support them. The condition of the Ottoman Empire was, to his mind, so irretrievably bad that the second Resolution, as originally proposed, might have been objected to on the ground that by calling upon the Porte to give guarantees we were giving a moral and material support to the Ottoman Empire. That was a course to which evermore after this he would not be a party. Therefore, he gladly welcomed the Amendment of his hon. Friend the Member for the Border Burghs (Mr. Trevelyan), who, he thought, expressed the sentiment of a great portion of the people of this country. So far from giving any moral or material support under any possible circumstances to the Ottoman Porte, firm and decided steps should be taken to get rid of all engagements, of whatever kind, which bound us to a corrupt, a promise-breaking, and a tottering Power. After the speeches of Lord Beaconsfield and of the Secretary of State for War in this House, he read with great satisfaction the speech, delivered "elsewhere," in which Lord Derby declared that Treaties were not supposed to be binding for all time. They were not like the laws of the Medes and Persians, which

could not be altered, but should be revised or abrogated when no longer applicable to the situation of affairs. He, for one, had a complaint to make against the Government, which would be remedied if they would accept the second of these Resolutions as altered. They had never told the Ottoman Porte in language firm and decisive enough that their conduct in putting aside all Treaties, in condoning, if not sanctioning, the Bulgarian atrocities, and in assuming a tone of insolent defiance at the Conference, had put them beyond the pale of English sympathy. His criticism, founded on the Papers presented to Parliament, was not that the Government had not gone far enough in coercing Turkey, but that they had complimented the Turks, and had paid them what had been called "delicate attentions"—that they had spoken continually of the interest felt in this country in the preservation of the Ottoman Empire. Holding these sentiments, he could not defend the policy of the action, or rather the inaction, of Lord Derby, and much less the speeches of Lord Beaconsfield, which he very much deplored, and which had given great joy at Constantinople, and had done irreparable harm all over Europe. But the moment he read the first and second Blue Books presented to Parliament, and found the Instructions sent to our Ambassador at Constantinople, and especially the able and statesmanlike letter written by Lord Salisbury, dated, he believed, the 4th of January, he felt at once that he could not support a Vote of Censure, no matter from what quarter proposed. He wished to say emphatically—though he knew in that matter he differed from many hon. Members on his own side of the House—that he was not in favour of coercion of any kind. So far, he entirely approved the position of Her Majesty's Government. He was not in favour of coercion either with or without allies. His position for years had been that the armed interference of this country in the affairs of other countries had never turned out either to the advantage of oppressed peoples or to the benefit of ourselves. We had fought for the liberties of Spain, and every hon. Gentleman who had travelled in that country knew how we were regarded by Spaniards. We had never fought for the unity of Italy, yet every enlightened Italian regarded Great Britain as their firmest friend and their most valued ally. He was not prepared to support any Resolution which, under any possible circumstances, might cause the sacrifice of British life and treasure in a war in the East. More than that, he was satisfied that in the long run the Christian subjects of Turkey would suffer from any such action. He entirely agreed with his right hon. Friend the Member for Greenwich with regard to the autonomy of the States on the Danube. The noble Lord the Vice President of the Council had said that if autonomy were granted to the States on the Danube, it would not stop there, because it would be claimed by populations in other parts of Turkey, and also in Asia. So much the better; because, satisfied as he was that the Turkish Empire was tottering to its fall, he believed that the creation of autonomous States was the only way out of the difficulty. He was not at all sorry that the Conference had failed, for he believed that the guarantees proposed by the Great Powers in that Conference would not in the long run have given satisfaction to the European Provinces which had been in revolt. He admitted that converting them into tributary States might prolong the existence of the Government at Constantinople; but every thinking man must look forward to far greater changes in the East than any which had ever been proposed in the Conference. A great deal had been said to-night about Russia; but he declined to follow the hon. Member for the Isle of Wight (Mr. Baillie Cochrane) in regard to what he had said about the designs of Russia. That was not the question now; but it would be ridiculous for an advanced Liberal to profess any enthusiasm or admiration for a paternal despotism which had within its own bounds evils of great magnitude to redress. But he was not one of those who were either afraid or jealous of Russia. That great Empire had sources of weakness within her. She was greatly embarrassed by her great and injudicious conquests in Central Asia; she was embarrassed by her mighty armaments, which had emptied her Treasury and drained her resources; and also by the stifled, but ever increasing, demands of a part of her population for a free Press and for liberal institutions. Great Britain stood in far too high a position to be afraid

of anything Russia could do; and he did not envy those politicians and those conductors of newspapers which were hounding on the people of this country, without any provocation, to consider Russia as an enemy. Indeed, he should find difficulty in properly characterizing the responsibility they had undertaken. It was easy to excite people's passions, and unfortunately the British public were bellicose enough without these journalistic incentives. His principal reason, however, for addressing these few observations to the House to-night, was to express an earnest hope that Her Majesty's Government would take no steps whatever, and yield to no temptation which would be inconsistent with their policy of absolute neutrality.

LORD ESLINGTON said, we had to consider to-night two lines of policy, and it was a matter of the gravest national importance that we should take our choice between them. The right hon. Gentleman the Member for Greenwich had laid down, in the clearest language, the great object he had in view in recommending his Resolutions to the House. The right hon. Gentleman said that one of his main objects was to clear the position of the Government, and one of the points he would strive to establish was that that position was ambiguous. But he would say, without fear of contradiction, that in the policy of Her Majesty's Government there was no ambiguity. In speaking thus he confined himself to the policy enunciated by the Foreign Minister, because it was he who was the responsible Minister of the Government, and who had been charged with the conduct of those delicate and difficult negotiations. The noble Lord the Foreign Secretary when he entered upon his difficult task was guided, as might be gathered from the study of his despatches, by three great principles, the first of which was that he would do nothing to interfere with or lessen the independence and integrity of Turkey. That was not a welcome expression to the ears of many hon. and right hon. Gentlemen opposite. But who was it that rivetted upon the archives and the policy of the Foreign Office that great diplomatic principle? It was the right hon. Gentleman, who had invited the House to debate a new line of policy, and the Government over which he had so ably presided, when they re-established and re-sanctioned solemnly the principle of 1856 in 1871. The noble Lord the Foreign Secretary when he entered upon his task felt that the honour, dignity, and good faith of England were pledged to that principle, and by it he was absolutely precluded from coercing Turkey, which some hon. Gentlemen said was the cause why the negotiations failed. The next principle which guided the noble Lord was the maintenance of the peace of Europe. Every honest man in the House agreed that the noble Lord had spared no effort to preserve the peace of Europe. The third point at which the noble Lord aimed was, so far as he was able to do so, to curb the ambition and to counteract the pretensions of Russia. That was the most difficult and most delicate task in which he had to engage, and it was most unjust to him that those who attacked the foreign policy of Her Majesty's Government should entirely ignore that difficulty. He did not for himself hesitate to say—and he believed there was not one Englishman in a hundred who did not think with him—that Russia as a Power was not to be trusted. Starting then from that position, he would proceed to notice what fell from a Gentleman who was not apt to fence his words. He meant the hon. Member for Birmingham (Mr. Chamberlain). That hon. Gentleman had studied politics; but he had not studied the published utterances of the Foreign Secretary. The hon. Gentleman had stated that Her Majesty's Government had "changed its policy in obedience to public opinion." He could disprove that statement, and would refer the hon. Gentleman to a speech made by the Earl of Derby not yesterday, not last year, but at a time long antecedent to this agitation. The noble Earl 13 years ago, when addressing his constituents at Lynn, had said that he could not understand, unless it were from the influence of old diplomatic traditions, the determination of our older statesmen to stand by the Turkish rule, whether it were right or wrong, and that it could not be desirable to make enemies of men who would soon be the dominant race in the East. These were the sentiments on which Lord Derby had acted ever since he had been Foreign Minister. Could anyone deny that his first thought had been the amelioration of the condition of the Chris-

tian subjects of the Porte? The Government was now asked to state its policy. That was impossible. Their policy was in abeyance. They advocated neutrality absolute and distinct; but so soon as the war cloud passed away the amelioration of the Christians in Turkey would again become the object of the foreign policy of the Government. When hon. Gentlemen asked what was the foreign policy of the Government, he would ask them to consider what was the present condition of Turkey. Turkey was engaged in a deadly struggle, and that was his reason for refusing to be any party to a Vote of Censure upon her. The natural feelings could not be got rid of altogether; and if generosity was a trait of Englishmen, it surely would be ungenerous in her hour of peril and trial to pass a Vote of Censure upon our oldest and most faithful Ally. But, besides, it would be very impolitic for us to cut ourselves absolutely adrift from Turkey. What could we substitute for her in the event of her destruction? Such an event was possible; but those who regarded it without apprehension were very neglectful indeed of its consequences. It had often been said that we had paid Turkey many delicate attentions, but the despatch of the 21st of September last could hardly be regarded as a delicate attention; and if he had wished to say a word against Lord Derby's foreign policy, he should have thought that no friendly Government could have addressed such a despatch, which was, in truth, one of the severest possible condemnations of Turkey, but, perhaps, not uncalled for. He deprecated and thoroughly hated the system of outrage which it condemned; but he would ask those who preferred Russian rule to Turkish rule if they were prepared to compare the state of religious freedom in the two countries? It was due to Turkey that it should be stated in the House of Commons that religious freedom was as absolute there as it was in England or in America. The evidence of the American missionaries was clear on this point, and the Report of the Bible Society in 1873 said that everyone in Turkey might belong to his own religious community, Christianity might be taught without any molestation, schools were free, and Christian workers might adopt any method they pleased in their labours. That was good evidence as to religious freedom in Turkey. There was one grave charge against the rulers of Turkey—namely, the inadmissibility of Christian evidence into their Courts. Why was Christian testimony inadmissible? It was because the Legal Profession throughout the length and breadth of the land absolutely ignored it; and why? because it was absolutely contrary to the principles of the Koran. But people were to be taken as they were, and judged fairly; and it was but natural for a Mahomedan nation to be guided by the Koran. He listened very attentively to the speech of the right hon. Gentleman the Member for Greenwich last night, and noticed one passage in it which had a dangerous tendency to counteract the action of the Foreign Secretary. For his own part, although the House of Commons might talk for a month, he did not believe in the pure intentions of Russia. The right hon. Gentleman, when he spoke of Syria and Bagdad, as much as said to Russia and her Generals—"Go on and conquer, and do not mind us." This afforded another reason why he should not vote for the Resolution, as he must decline to vote for anything which would give the slightest incentive, stimulus, or encouragement to Russian ambition. The policy of Her Majesty's Government had, in his judgment, been as clear as day all along—namely, the maintenance of peace and the protection of the oppressed communities. The hon. Member for Birmingham (Mr. Chamberlain) said last night that a nominal exercise of force would have been sufficient to influence Turkey. Now, he should like to know what was the meaning of a nominal exercise of force? A challenge of that kind was thrown out by the Home Secretary last night; but nobody had replied to it. It could only mean one thing, because whenever the mythical action failed force must be resorted to. He knew this country was not prepared to go to war for Turkey; but, on the other hand, it was equally prepared not to go to war for Russia. This was the reason why he designated the alternative policy proposed in the Resolutions as being much more ambiguous than the line of policy which Her Majesty's Government had pursued. He cordially joined in the sentiments expressed by his right hon. Friend the Home Secretary last night and reiterated to-night from the

[*Second Night.*]

front bench opposite—that hon. Members should be calm and guarded in their expressions. They knew to their cost that the character of Englishmen was eminently bellicose, and required but little encouragement when war was waging to rise up in a warlike spirit on one side or the other. He trusted, therefore, that in the present and future discussions they would guard themselves against any expressions that would interfere with the position of neutrality which this country had so nobly and wisely taken up. For the reasons he had stated he preferred the policy, which had been consistent, manly, and prudent, of the Foreign Secretary to the ambiguous and, he thought, the dangerous policy contained in the Resolutions of the right hon. Gentleman the Member for Greenwich.

MR. ROEBUCK: During the long period which I have passed in this House it has never been my fortune to take part in a debate more important than the present one. There is raging at this time a war, which may spread not over Europe only, but the world. A great Empire is at this moment on the brink of ruin, and the lives and fortunes of many millions of people are in the scales of fortune, and may be made most wretched in the result. That being the state of the case, a man whom this country has believed to be one of its greatest and most deserving and most patriotic Ministers at one time or another —that man, endowed with great ability, with vast power, with a winning manner, and whose influence in this House has been almost illimitable—has thought fit upon the present occasion to bring forward in this House a debate on which the interests of this country and of the world at large, as connected with the present crisis, are mainly dependent. He put upon the Table of the House many days ago five Resolutions as the result, I suppose, of patient consideration, and also as the result of great experience. He put those Resolutions on the Table of this House to discuss them. The Government, feeling the great difficulty of the position — the importance of the right hon. Gentleman who put forward these propositions, and the intense interest which the country took in them —gave him a day for their discussion. We all came down yesterday fully prepared to meet and discuss those Resolutions. Those Resolutions contained much that was very important, and which I, among the rest, believe to be vital in their influence on the interests of this country; and we were startled on entering the House to find that three out of the five Resolutions had been withdrawn from the Paper, or, at least, that there was an understanding come to between the Parties in this House that they should not be put to this House. In these circumstances, what is this House to do? Is it to maintain the feeling that it has hitherto held, of great respect and confidence in the opinion of that right hon. Gentleman? Is it to be said that a man who has lived his life in politics, who upon so great an occasion puts forth such important Resolutions as these, should upon a sudden find that he had made a most lamentable mistake? [*Cheers and counter cheers.*] If he has not made a mistake, why has he changed the Resolutions? But I am told that the conduct of the Government throughout all the matters connected with this Eastern Question has been very ambiguous. Now, when that is said by the right hon. Gentleman, has it never occurred to him to ask himself whether his own conduct will not bear the same epithet? What do these Resolutions mean? I read them carefully—and I studied them before coming down to this House to discuss them—and in the midst of a world of words and of much ambiguity I came to the conclusion that there was one thing which they did propound, and that was that the Ministry should determine to go to war. There can be no doubt upon that matter; and if there were a doubt before the right hon. Gentleman's speech last night, could there be a doubt after it? He did indeed say that he did not intend to propose the Resolutions; but he did not say that he would not discuss them. He, under the guise of having withdrawn them, and having told the House that he did not intend to propose them, felt himself relieved from a vast world of responsibility; but, nevertheless, he expressed his opinion. And what was that opinion? He cannot get out of the responsibility of that, if he can get out of the responsibility of the Resolutions. What he recommended to this House and to the people of this country—what he put forth to the world at large, was that the great people of

England should upon the present occasion go to war with Turkey, and in alliance with Russia. Why did he come to that conclusion? Because Turkey, being a despotic country, acted as despots usually do, and maltreated its subjects. And upon whom were we to depend in our action against Turkey when we set forth in this battle of humanity? Upon whom did he tell us to depend for support? On a despot who did exactly the same thing as the right hon. Gentleman complains the Turks have done. ["No!"] I hear an hon. Gentleman say "No." Now, during the sitting of the Conference there were Petitions presented to the Conference from a large body of Mussulmans who were under the control of the Russian Government; and what did they describe as their condition under that Government? Our humanity is not, I suppose, confined to the Christians. I suppose if you saw a man at that table treated flagrantly, beaten, scourged, and maltreated in every possible way, you would not ask what his creed was; but you would say at once that the man who inflicted such punishment was a despicable person, and whether his victim was a Christian or a Mussulman, or anything else, you would pass the same condemnation on the oppressor. Now, these remarks apply, I maintain, to the conduct of Russia towards four of the Provinces under its control. I have the names in my pocket, and I will not trouble the House by reciting any passages from the Blue Book. It is said there that four Petitions were tendered to the Conference at Constantinople of 1876 and 1877 by Mussulman inhabitants of the Crimea and the Provinces of Kazan of White Tartary, Kurdistan, and the Circassians, in the West. The substance of these Petitions is given, and if any hon. Gentleman will read them—I do not know whether they appear at length in the Blue Book or not—he will find in them a description of horrors quite equal to any which have been committed in the Crimea.

MR. WHALLEY: I rise to Order, Sir. The House is engaged in discussing the Resolutions of the right hon. Gentleman the Member for Greenwich; but the hon. and learned Member for Sheffield is now entering on a statement consisting of an attack on Russia, of which he has given no Notice. I ask, Sir, whether the hon. and learned Member is in Order under the circumstances in making a charge against a friendly ally of this country?

MR. SPEAKER: The hon. and learned Member is decidedly in Order.

MR. ROEBUCK: The interruption, Sir, deserves no further answer than that which you have given it. I was endeavouring to show that we are invited by the right hon. Gentleman the Member for Greenwich to go into a war of humanity with persons who are as guilty as those who are attacked. Now, my argument against that advice is twofold. In the first place, it runs counter to the many Treaties which we have made; and secondly, if we begin a war of humanity we can have no end to our crusade. Now, as to Treaties. The right hon. Gentleman (Mr. Baxter)—he will perhaps allow me to call him my right hon. Friend—spoke of Treaties in a very light way. He said they depended upon circumstances, and that they ought to be abrogated on occasions when the occasion called for it. If that be our rule with respect to Treaties, the sooner we leave them off, I think, the better. When I enter into a contract I intend to fulfil it. I do not say that I shall change it when it suits my convenience; but having put my hand to it I am bound to perform its obligations. Now, this is the effect of the Treaties into which we have entered. We have bound ourselves to regard Turkey as an independent nation. We have bound ourselves to be no parties to any attack upon her independence. Now, I ask, Sir, as an honest people, not a people led away by any artificial excitement or any oratorical display, or by any attack upon our feelings—I ask if we, as an honest people, as one bound by our word of honour, whether we are at the present time justified in breaking that Treaty? But it will be said—"Those people do things which are abhorent to humanity." True it is they have; but where, I would ask, is the nation in the world that has not done so? The right hon. Gentleman (Mr. Gladstone) himself pointed to our conduct in the Indian Mutiny. I do not at all agree with what he said upon that; but I can very well understand that people under the control of a Government like that of Russia, if we were assailed, could have made these attacks upon us. What can we say of the con-

duct of the White Man to the Red Man in America? Is not that as atrocious as anything which has been recited in these debates? Our godly ancestors who left England for freedom's sake, the moment they got to America began to exercise every possible form of despotism. Among other ways in which they outraged the laws of humanity, they drove before them the poor Red Man, slaughtering him with their muskets, running him through with their swords, burning his wigwam, and actually starving him to death. They drove him from his hunting-grounds, and took possession of his patrimony. Have the Turks done more? And are we going in our crusade of humanity to address the Government of Washington and say —"Your conduct now to the Red Man is such as we humane people cannot possibly in any way permit; we intend to go to war with you because you have been inhuman?" To act in that way would, I contend, be just as wise and as justifiable a course to take as to break our faith and go to war with Turkey. The Blue Books have been quoted, and the conduct of the Government has been criticized in a small, narrow, pitiful way, somewhat more like that which takes place at *Nisi Prius* than as great contests are usually conducted here. We are supposed to be statesmen. We are called upon to take large statesmanlike views of questions, and in doing so we fulfil our duties. But when we desert this end and become mere pettifogging criticizers of the conduct of a Government under difficult circumstances such as the present Government are placed in, we no longer deserve the name of statesmen. Now, I have studied my countrymen for many long years, and tell those right hon. Gentlemen that they must not be afraid as to the results of their policy on the present occasion. When England understands that their object has been to maintain intact the interests of England, the interests of the world, and the peace of mankind, they need not fear the proposal of 4 or 20 Resolutions such as those which have been placed on the Table. On this occasion I feel I am not able to longer continue my argument; but I am convinced that if in this present occasion the Government opposite were to be weak — shamelessly weak — enough to submit to be dictated to by Resolutions of this sort, they would deserve to be hooted from that bench, and would no longer have, or deserve to have, the confidence of their countrymen. But let them fearlessly pursue the line of conduct which they have hitherto adopted, and the people of England will not fail to give them all credit. I have sat for a great number of years on this side of the House, and I found that on these benches there used to be a Peace Party. I recollect that during the Crimean War some gentlemen, representing the peaceful Quakers of this country, went to the Emperor of Russia, and of all the people in the world they used language which induced that great man to go to war with England. If it had not been for their conduct I feel pretty sure that the Czar of that time would not have done so—if he had not been misled about the feeling of this country. And of this I am quite sure—that upon the present occasion, in consequence of the great faith a large body of the people of this country have in the right hon. Gentleman the Member for Greenwich they have been entirely misled. I feel, however, confident that they will very shortly see how wise, how prudent, how just, how bold, has been the conduct of Her Majesty's present Government.

THE ATTORNEY GENERAL said, he should not have intruded himself upon the House had it not been for some observations which the right hon. Gentleman (Mr. Gladstone) thought proper to make against himself personally. He had been sitting some time in the House listening with entranced attention to the eloquent and interesting speech of the right hon. Gentleman, when all of a sudden, to his great surprise, the right hon. Gentleman caught sight of him and directed against him one of the most vehement attacks to which he had ever been subjected, complaining in no measured terms of observations he had made about the right hon. Gentleman when addressing his (the Attorney General's) constituents at Preston. The right hon. Gentleman gave him a severe castigation, and the only consolation he had was that the right hon. Gentleman had had the kindness to elevate him to another sphere and had lectured him on the way in which he must then perform his duties. He did not know whether the right hon. Gentleman read the speech he made.

He did not make many. If the right hon. Gentleman did, he did him a great honour; and if he read that speech he hoped the right hon. Gentleman read some other speeches which he made previously to last Autumn; and if he did he (the Attorney General) thought he could not consider that of those speeches made previous to last Autumn he had any reason to complain. Indeed, he had set up the right hon. Gentleman in his own mind as an idol, which he might at a humble distance bow down to and worship; and he had told his constituents, not once, but frequently—not always to their extreme satisfaction—that he had the greatest admiration for the brilliant genius of the right hon. Gentleman, and that he was a man of most earnest and sincere convictions, and most desirous of accomplishing ends beneficial to mankind. But he said that previous to last Autumn. He had, however, like other people, studied the speeches of the right hon. Gentleman in regard to the Government, and he supposed he was at liberty to form his own opinion as to the taste and temper which the right hon. Gentleman displayed. He thought he had fair ground of complaint of the tone of the right hon. Gentleman towards Her Majesty's Government. He could not forget that the right hon. Gentleman described in glowing terms, which made them all thrill with excitement, the horrors which had taken place in Turkey; and he could not forget that the right hon. Gentleman said that the Members of the Government were morally responsible and that they were culpable as well as the Turks.

MR. GLADSTONE: When and where did I say that?

THE ATTORNEY GENERAL said, he was in the recollection of the House when he stated that the right hon. Gentleman made those accusations.

MR. GLADSTONE: When and where?

THE ATTORNEY GENERAL said, if the right hon. Gentleman would have a moment's patience with him he would satisfy him. It was impossible for him to bring into the House all the right hon. Gentleman's speeches, to select all the paragraphs in which he made that accusation.

MR. W. E. FORSTER: Give one.

THE ATTORNEY GENERAL said, he wished to draw the attention of the House, not to a speech made in a moment of passion and excitement, but to some extracts from a letter the right hon. Gentleman wrote to a meeting, which he believed was presided over by the right hon. Member for Halifax (Mr. Stansfeld), on the subject of the Bulgarian atrocities. The right hon. Gentleman said he had described the conduct of Turkey with regard to her Christian population, he had described the horrors that took place, the massacres and the outrages practised upon the Christians, and he went on to say that the Government were deliberately using the power of the nation to frustrate its wishes. The right hon. Gentleman then said that—

> "After disparaging European concert for 12 months the Government had within the last few weeks begun to recommend it, and we were told of the necessity of bringing into union the views of all the Powers. When it was a question of favouring the Turkish Government against the Christian subjects we heard nothing of this necessity. Now, however, that the strong resentment of the country has made a continuance in this course impossible, a change of form seems to have been adopted without any change of aim, and the views of the other Powers began to be pleaded with a view of securing that the amount of good done to the oppressed should be as small as possible."

The right hon. Gentleman said he did not impute motives. What was that but to say Her Majesty's Ministers were determined that the smallest amount of good should be accomplished for those subject-races? [*Opposition cheers.*] He supposed, from those cheers, that view was still entertained. And this letter was written, not in a moment of passion, but in the calm deliberation of the study, in which the right hon. Gentleman wrote so many letters. He (the Attorney General) was a follower of the Government, and he naturally felt indignant when he went to address his constituents that the right hon. Gentleman should have used such langnage. He regretted that he did make use of expressions stronger than he ought to have used. He did say that there was malignity against the Ministry in the manner in which the right hon. Gentleman spoke of the Government. If he had to do it again, he certainly should not use such strong language, and he hoped that the right hon. Gentleman did not mean that the Government were aiding Turkey in her horrible oppression of the Christian population, or that they were desirous of doing nothing for Turkey. He be-

lieved that the right hon. Gentleman since he wrote that letter had come to the conclusion that it did not express the real state of the case; and that being so, he (the Attorney General) was sorry he made use of that expression. A great deal had been said about the withdrawal of the right hon. Gentleman's Resolutions, and it must have cost him a severe pang to withdraw them. He admired the right hon. Gentleman's frankness when he told the House that, although he withdrew the third and fourth Resolutions, he believed that if anybody adopted his first Resolution, he would, by implication, adopt the others. He was not going to argue whether that was a fair inference or not, but one thing was clear and had been demonstrated—in fact, the hon. and learned Member for Sheffield (Mr. Roebuck) made it perfectly plain—that what the right hon. Gentleman the Member for Greenwich advocated was war against Turkey. There was the greatest possible distinction between the policy of the Government and the policy of the right hon. Gentleman—should he say of the front Opposition Bench. The policy of the Government was one of strict neutrality; the policy of hon. Gentlemen opposite who supported the right hon. Gentleman the Member for Greenwich was war and dismemberment of the Turkish Empire. What was the ground for that? Why did the right hon. Gentleman advocate it? He said there had been misgovernment—that in the Autumn, or, rather, in the Spring of last year, there were grievous massacres in Turkey—horrible deeds which made one shudder to think of them. It was perfectly true. He did not for a moment mean to mitigate the guilt of those who perpetrated those horrors, although they were instigated by those whose intrigues brought about the revolutions which had been made. Turkey had beyond doubt misgoverned her Provinces and made promises which she had not fulfilled, and, therefore, said the right hon. Gentleman, we ought to go to war with her. It was easy to make that assertion, but were there no objections to urge against it? In the first place if we went to war, would we not break our plighted word—infringe a solemn Treaty and interfere with the internal affairs of a foreign nation? A word as to our Treaty obligations. What he understood the right hon. Gentleman to endeavour to establish was this: that Russia had a Protectorate, or something like a Protectorate—he might call it a *quasi*-protectorate — over the Christian inhabitants of Turkey. The right hon. Gentleman referred to the Treaty of Kainardji, and said he could read it in Russian and Turkish, and he (the Attorney General) supposed in Greek and in Arabic. He read them a little bit in Italian, and stopping at a comma, he said the Treaty gave them the right of interference. In addition to that he cited the statement of a historian of Turkey and the opinion of a jurist whose name he (the Attorney General) did not remember. [An hon. MEMBER: Bluntschli.] Well, but they had the Treaty in English, and there were but two clauses in it which referred to the circumstances in which Turkey was now placed, or was placed in the year 1856, when the Treaty of Paris was entered into by the Government of which the right hon. Gentleman was a distinguished Member. [Mr. GLADSTONE: No, no!] Well, if not a distinguished Member, at least a strong supporter. What did the Treaty of Kainardji say? By the 14th clause Turkey gave Russia permission to establish in Constantinople, in addition to a chapel there, an additional church of the Greek Ritual under the protection of the Ministers of Russia, and undertook to secure it from all outrage. The 7th clause was—

"The Sublime Porte promises to protect constantly the Christian religion and its churches,"

—and that is the point where the right hon. Gentleman left off—

"and it also allows the Ministers of the Imperial Court of Russia to make upon all occasions representations, as well in favour of the church at Constantinople, of which mention is made in the 14th clause, as on behalf of its officiating ministers, and that these representations will receive due consideration, as being made by a confidential functionary of a neighbouring and sincerely friendly Power."

He (the Attorney General) had read the clause, which, it was said, gave Russia the right to interfere with the Christian population of Turkey, and what did it come to? Why, that all Russia was entitled to do, was to make remonstrances. He saw the Benches opposite bristling with lawyers, all well able to construe that Treaty, and he asked them whether any one of them would pledge

his opinion that it gave Russia any right to interfere? There was an end of the argument of the right hon. Gentleman. But there was more. In 1856, after the Crimean War was concluded, a Treaty was entered into, which had cost much blood and treasure; and that Treaty, instead of transferring any Protectorate or right of interference with Russia had to the Six Great Powers or any of them, expressly, distinctly, and positively excluded such right of interference. If that was so, the argument of the right hon. Gentleman the Member for Greenwich on this point was perfectly futile. Was the Treaty of Paris, by which we engaged not to take any action which would interfere with the integrity of the Turkish Empire, binding or not? It was. You might go to war with Turkey if you liked—and the right hon. Gentleman would have his forces marshalled at once for that purpose. But do not let us go to war with the notion that Turkey had broken that Treaty, or that this country was absolved from her obligations under it. For his part, he had no other sympathy with Turkey than that which naturally arose from the fact that a weak Power was attacked by a strong Power. She had made promises which she had broken. She had not exerted herself as she ought to have done to prevent the atrocities which had been committed; but was that a sufficient reason why we should embark in a war with her? Was it, he would ask, the true policy of this country to interfere in the affairs of other nations and dictate to them how they were to control their own affairs? Englishmen sympathized with those who were oppressed and were struggling for their liberty; but those who were seeking liberty and deserved it could achieve it. If England was to embark upon this policy of interfering with every country that was guilty of misgovernment, where was she to stop? There were many nations, in addition to Turkey, which had made, and failed to keep, promises of reform, and which had trampled out insurrections by barbarous violence and brutality; but England had not interfered with them, and he failed to see why she should interfere now. If she did, she would find herself involved in a crusade which would have a tendency to embarrass her in every part of the world.

MR. LOWE: The House has just had the advantage of being addressed by two Gentlemen of the long robe; but I must say that I do not think they have treated us very fairly. I think the least they could have done under the circumstances would have been to treat the House as a special jury; but instead of doing that, they have addressed to us arguments of a character which are accustomed to be addressed to the very commonest of common juries. They have both told us, without the slightest attempt at proof of any kind, that my right hon. hon. Friend (Mr. Gladstone) is in favour of Her Majesty's Government going to war against Turkey. It may be so. My right hon. Friend, however, has himself said no; but the Attorney General may have, in the recesses of his legal subtlety, some means of proving what is thus denied. However, when learned Gentlemen make such statements as we have had to-night, I think they ought to be prepared with their proofs. As a specimen of the way in which the Attorney General has considered his case, he says that we want to go to war with Turkey, because of these questions about the churches. I will not go into that part of the case, but the relevancy of this question about the churches is this—it is contended that before the Crimean War Russia had some sort of right of protection over some bodies of Christians; that that right was abolished by the Treaty of Peace made after the Crimean War, and it is argued therefore that we ought to have taken care that that right was vested in some other Power. Whether Russia had that power or not is no part of my argument. I only mention it in order to show how the Attorney General has considered his case. I find myself in considerable difficulty with regard to the Resolutions of my right hon. Friend, because, after the splendid oration in which they were brought forward, I can add little in support of them; but, at the same time, I feel that, unless something is said from the bench from which I have just risen, a false impression may grow as to the feeling entertained by the usual occupants of that bench concerning them. My opinions have always been identical with those Resolutions. I took some share in the movement of last autumn, which caused Lord Beaconsfield to compare me with Chefket Pasha and Achmet

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Aga. I would say now what I said then, that what we have to do is not by any means to go to war with Turkey or to interfere with her in any way, but to wash our hands of her, and to let her drift where her destinies may carry her. I now pass to the Amendment of the hon. Member for Christchurch (Sir H. Drummond Wolff), which declares that the House declines to entertain any Resolution which may embarrass Her Majesty's Government in their efforts to maintain the peace and for the protection of British interests. This Amendment contains more than appears at first sight. It is pregnant with the assertion that Her Majesty's Government is at this moment, or has been hitherto, engaged in the maintenance of peace and in the protection of British interests, and that those interests are perfectly safe in their hands. I am very sorry that that is a proposition that I at least am unable to agree in, and I will give the reason why I am unable to agree with it, and it appears to me that the fairest way to do this is to examine what has been the conduct of Her Majesty's Government hitherto, and to ask whether they have so acted as to promote British interests, and if they have not I cannot agree in the assertion that they have done so. Now, the best way to test this is a very vulgar and a very coarse one, and that is to take the criterion of success. What has been the result of the labours of Her Majesty's Government? What is it they have wished to do; and what is it they have accomplished? As to the objects they have had in view, I think they have had a wish to maintain the integrity and independence of the Turkish Empire—at least, they have often said so; and I think they have desired to maintain peace in Europe. They have had a wish, probably, to keep together the combined action of the Six Powers, so that they could all act together. I think that they wished probably to obtain guarantees for the future. I think that they had in view to take the lead of Europe, and to direct its councils, and I cannot doubt that they desired to maintain peace. Now, it does so happen that in all these things Her Majesty's Government have signally failed. There is not one of them in which they have not entirely failed. The next question I ask myself is, why have they failed? Giving them credit for all good intentions, which I am quite willing to do, why have they failed? I think it is not difficult to show what are the causes which have led to the failure. I cannot say I think the failure can be traced to any particular perversity of fortune or circumstances. All the circumstances were very favourable. I cannot doubt that the Emperor of Russia was very sincerely disposed if he could to maintain peace. We could judge that by his character and all the incidents of his reign. I cannot believe that Turkey, on the other hand, in her bankrupt state, and other difficulties, could have had any real desire to go to war. It is quite certain also that no other of the Great Powers of Europe—neither Austria, France, nor Italy—could have had the least wish to break the peace. Therefore, I think Her Majesty's Government started very fairly on their enterprize, and that they had a fair chance, as far as the circumstances would permit, of an ultimate success. Then, why did they not succeed? I trace their want of success mainly to the fact that they have always had, as it appears to me, at least three policies going at the same time. I trace it further to the fact that they have carried on a system of concealment, and kept their conduct back from the public in a manner exceedingly injurious to their own interests. I trace it further to a certain want, as I must say, of ability and care in the negotiations which they have conducted. I admit that these are all mere assertions; but I will now go on to see whether the facts do not bear them out. There is one other cause which has assisted to bring about a failure of their plans, and that is their persistent hostility and animosity towards Russia. Now, when I say the Government had three policies I mean this—There was the policy of systematic friendship for Turkey and animosity against Russia—that was the policy, I think I may fairly say, which represents the Prime Minister. Then there was the policy—well, I will not say so much of hatred to Russia—but a policy which consisted very much in doing as little as possible, and when anything was done, doing something to counteract its effect, always leaning to Turkey against Russia: I think that was the policy of the Secretary of [illegible]ign Affairs. I think there is [illegible]which is one very

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much like that advocated by those who sit on this side of the House, and that the Marquess of Salisbury represents. These three policies have been alternately surging up to the top, and have proved a great power for mischief. Let us now see if events which have happened do not bear out what I say. In the first place, there was the Andrassy Note. Lord Derby agreed to the Andrassy Note, but he took care to couple with it a statement that he only agreed to it because the Turks concurred in it, and that took all the grace out of the concession. The next step was the Berlin Memorandum, and this seems to me have been the turning point in this matter. It contained all the principles upon which a sound and fair settlement of this matter might have been arranged. Everything was provided for, the union of the parties, pressure on the Porte, and the demand for sufficient guarantees. That, again, was refused, and it was refused on grounds which, so far as I can find, took no notice of any of the great principles involved in that document; it was rejected upon small and technical details. Then broke out that kind of animosity towards Russia which I am sorry to see has continued so long after. There was a separate despatch, devoted to a querulous sort of complaint of the manner in which this matter had been brought before this country. That was an opportunity lost which never returned. Then the next thing that happened was what were called the Bulgarian atrocities. I do not mean to dwell upon them at any length. They were treated in this House with a levity which shocked every one. ["No, no!"] It was only reluctantly, inch by inch, that the truth was admitted, and, of course, when once established, it could not admit of any levity. The matter, however, was arrayed in such a way as to convey the idea that the sympathy of the Government was not with the unfortunate victims of these horrible atrocities. The result of that was that the country rose in that spontaneous movement and made such a demonstration that the Government felt themselves obliged to yield to it. They did yield, and on the 21st of September we find a letter written by the Secretary of State for Foreign Affairs to the Porte, sufficiently strong in denunciation of these atrocities. But look at the curious perversity that was going on all this while. While this was being done, while these accusations were being made, the Government seemed to be at the utmost pains to conceal the whole matter from the public mind. The Prime Minister spoke at Aylesbury, in bitter defiance of public opinion, at the very time that Lord Derby must have been engaged in preparing that document, which protested in the most indignant language against those outrages. Lord Derby himself received deputation after deputation without giving them the least reason to suppose that he felt any cordial sympathy in the matter. What was the possible use of all this concealment I cannot conceive. It went on not merely till the 21st of September, but it went on up to the very time of the celebrated Guildhall speech. Up to that time, everybody who took an interest in the matter was under the supposition, created by the speeches of the Prime Minister, that it was the intention of the Government to take up arms in defence of Turkey against Russia. ["No, no!"] That was the predominant feeling throughout the country, and it was due entirely to the reticence and concealment on the part of the Government. Look at the Guildhall speech. That was made at a time when Lord Salisbury's instructions, which contained everything that the most ardent admirer of the oppressed nationalities of Turkey could desire, were being drawn up. But how did Lord Beaconsfield behave? He went down to Guildhall with a letter containing the most conciliatory overtures from the Emperor of Russia in his pocket, which letter he never chose to mention to the public at all. He referred then to the mission of Lord Salisbury. We find that the noble Lord was told that his business was to go to Turkey, not to hear and right the wrongs of the oppressed Christian subjects of the Porte, but to maintain the integrity and independence of the Turkish Empire. Lord Beaconsfield then spoke in a manner which cannot be easily forgotten of the military resources of England, and upon our capacity for continuing successive campaigns in a manner which everyone understood to be a menace to Russia. I do not say it was so, for I speak as an outsider, who could not know the noble Earl's sentiments; but every one understood it as a menace, and I believe to this moment that it was meant as a

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menace to Russia. That was the conduct of Lord Beaconsfield; but his policy was much better than he pretended it to be, for while they were acting the part of violent enemies of Russia and as the friends of Turkey, the Government were really taking praiseworthy measures for trying to remove the evils of the Christian subjects of the Porte. I and Gentlemen on this side have no right to complain of being kept in ignorance on this point. Of course when I fall into the hands of my enemies I must bear the injuries they inflict upon me; but those sheep, what have they done? There were a number of hon. Gentlemen who, with the best intentions, and with great eloquence, and great research, were making speeches exactly in a contrary sense. There has been nothing like it since the story told by Sidney Smith; "they sang the wrong song, they drank the wrong beer, they made the wrong speech, they cracked the wrong heads." They went against their own policy. Why did they make their best friends ridiculous in this way? I cannot answer the question. I have no idea what they meant. Then came what I may call the lucid interval in the conduct of the Government. That is the period when Lord Salisbury was sent on his mission to Constantinople. His demeanour was worthy of a great British Envoy, and he comported himself with the utmost dignity and propriety in the whole matter. But when he returned, and the whole thing was over, although it had been said that guarantees would be given for what was required being done, it was found that no guarantees had been given, and that the whole thing had fallen through. Soon after that, the hon. Member for Mid-Lincolnshire (Mr. Chaplin) challenged us all to move a Vote of Censure on the Government; but at that time I, for one, never felt less inclined to move a Vote of Censure on Her Majesty's Government in my life. They seemed to me to have been making really praiseworthy efforts to set matters to rights, and to be by no means worthy of censure; and if anyone, acting on the suggestion of the hon. Member for Mid-Lincolnshire, had proceeded to move such a Motion, I, for one, should certainly not have voted for it, and I believe many other hon. Gentlemen on this side of the House were of the same way of thinking; because the Government had come round to our way of thinking, that the Bulgarians had suffered cruel injury, and because, moreover, the Government had done their best to remedy these wrongs. It is only an instance of how greatly people may be deceived, and puts me in mind of nothing so much as the story, in Victor Hugo's *Notre Dame de Paris*, of the man who, in his anxiety to save a person's life, kills all those who come to the rescue. So much for what I have termed the lucid interval of the Government; but somehow or other they soon began to retrograde, and speedily returned to a state of things worse than ever; and the next point to which I wish to call attention is the episode of the Protocol. Now, I have quoted one instance of the treatment of Russia at the hands of Her Majesty's Government; but here is another even more striking than that. Russia induced Her Majesty's Government to sign a Protocol for the purpose, if possible, of averting war. Well, Lord Derby agreed to sign it, but he immediately annexes to it a statement "that inasmuch as it is only in the interests of European peace"—just what I have before said, that whenever the noble Lord does anything which might be productive of good, he immediately follows it up by some act likely to destroy all benefit from what he had previously done, and in this case I contend that nothing could have been more insulting to Russia than his action in that matter—"that Her Majesty's Government had consented to sign the Protocol. In the event of the object not being attained of reciprocal disarmament"—a matter which had not been stipulated at all in the Protocol, but which was merely a suggestion proposed by the English Government for the acceptance of Russia—"that then the Protocol shall be null and void." Lord Derby must have known perfectly well that by putting his signature to that it was in his power to destroy and make null this Protocol, and I contend that not only was that an insult to the feelings of Russia, but that it would actually frustrate the effect of any document, the most important that could possibly be signed by the Powers of Europe. From that moment war was decided on, and there was no more hope of making peace, mainly, as I contend, on account of this act by which we entirely cut off all

prospect of any further common action between the Powers. Once more the concert of Europe was broken by our act, all possibility of reconciliation put an end to, and an offence given to Russia which very naturally she must feel very deeply. Then, the last thing, and, probably, the worst, is the document we have just seen published as the Answer to the Circular of Prince Gortchakoff declaring war. It says—

"With the view of enabling Russia the better to abstain from isolated action, the Protocol affirmed the interest taken in common by the Powers in the condition of the Christian population of Turkey."

What an invidious way of putting it. It is quite enough that the thing was done. Then it went on to say—

"Her Majesty's Government cannot admit, as is contended by Prince Gortchakoff, that the answer of the Porte removed all hope of deference on its part to the wishes and advice of Europe, and all security for the application of the suggested reforms. Nor are they of opinion that the terms of the Note necessarily precluded the possibility of the conclusion of peace with Montenegro, or of the arrangement of mutual disarmament. Her Majesty's Government still believe that with patience and moderation on both sides these objects might not improbably have been attained."

In their Instructions to Lord Salisbury they had declared that nothing could be done without guarantees; and yet when there was no guarantee whatever, but merely a vague and general statement as to the wishes and hopes of the Powers, they taunted Russia with having broken off from the European concert, stating their belief, for which I see no foundation, that they saw no reason why the thing should not have gone on, and that still the matter might have been brought to a successful issue—that very issue which they themselves had so fatally disturbed by the Declaration cancelling the Protocol, as far as England was concerned. Then they went on to say of Russia's action—

"It is in contravention of the stipulations of the Treaties of Paris of March 30, 1856, by which Russia and the other signatory Powers engaged, each on its own part, to respect the independence and the territorial integrity of the Ottoman Empire."

Well, we have had the advantage of hearing the right hon. Gentleman the Secretary of State for War on that subject when he told us that it would be absolutely wicked if we deviated from these Treaties; but when he addressed us on another occasion he changed his note—he was still very strong on the point of wickedness, but then the wickedness would be solely if we do not consult our own interest. They seem to have forgotten the statement of Lord Derby that Treaties are not immortal, they grow old like everything else, and the idea of Treaties being binding for ever is quite obsolete and absurd. And yet this is made a bitter ground of complaint against Russia. Then, again—

"The Emperor of Russia has separated himself from the European concert hitherto maintained, and has, at the same time, departed from the rule to which he himself had solemnly recorded his consent."

This is very strong language to be used by one Sovereign to another when we are supposed to be in amicable relations. And when it was alleged that Russia had separated herself from the European concert hitherto maintained, who was it that had really separated themselves from that concert? Why the Six Powers signed this Protocol, and then one of them signed a declaration to the effect that it would be void under certain contingencies? And that Power was England; and then they turn round and use that bitter and insulting language to the Emperor of Russia, adding—"It is impossible to foresee the consequences of such an act." What was that but a direct threat against Russia? A war has broken out between Russia and Turkey, and what further consequences can it be supposed were there intended, unless it was that we were to go to war against Russia? Lastly, Her Majesty's Government said—

"They feel bound to state, in a manner equally formal and public, that the decision of the Russian Government is not one which can have their concurrence or approval."

They were never asked for their concurrence. There was not the slightest necessity for their answering that Circular at all. It was issued to all the Powers. None of the other Powers, I believe, have answered it; and there was no occasion for our Government to have answered it. Unless it was intended to embroil us in our relations with Russia, why it was answered in that peculiar, bitter, and insulting manner, I cannot understand. Well, I have now gone through my reasons, and I ask the House whether I have not shown them a universal

failure in everything that has been undertaken by the Government. It has not been a fortuitous failure, owing to matters that could not have been controlled; but it has been the result of a series of blunders, of mistakes, of faults of temper and of judgment, of useless concealment, without calling in that much-abused power, Fortune, to account for it. Well, Sir, in this state of the case, how can any man of good sense vote for the Amendment of the hon. Member for Christchurch (Sir H. Drummond Wolff)—that is, to abstain from stating opinions in regard to the state of Turkey for fear we should interfere with the the management of the foreign affairs in the hands of Her Majesty's Government. Why, if there was any possibility of interfering, bad as things are, there might be some hope for us. At any rate, if we cannot alter it, do not let us do ourselves the absurdity of saying we are satisfied with the management that has brought us to this pass, and are so satisfied that we all forbear from stating what we know to be a true and righteous opinion, for fear that by doing so we might derange the admirable state of management and organization which has brought us to this pretty pass.

LORD JOHN MANNERS remarked that in supporting the Resolutions of the right hon. Member for Greenwich, the right hon. Gentleman who had just sat down had done so on the ground that they ought to wash their hands of Turkey, the very thing which the author of the Resolutions had himself argued they could not justifiably do. Those Resolutions had been supported by Gentlemen who wished to plunge this country into a war against Turkey, and to interfere forcibly in the internal affairs of that now distracted Empire. Having, however, summarily disposed of the Resolutions of his own right hon. Friend for which, nevertheless, he was going to vote, the right hon. Gentleman who spoke last had devoted the rest of his speech to the Amendment of the hon. Member for Christchurch (Sir H. Drummond Wolff), which he had opposed, as he said, for three reasons. The first was that Her Majesty's Government during the whole of those protracted and troublesome negotiations had pursued three policies, and he had been kind enough to name the three Members of the Government who were severally responsible, as he had alleged, for those three different policies. It struck him that, as there were 12 Noblemen and Gentlemen in Her Majesty's confidential service, the right hon. Gentleman might just as well have said that during the negotiations they had had 12 policies, and might have proceeded to name the 12 Members of the Cabinet. The right hon. Gentleman's second reason was that they had concealed their policy. That was one of the most extraordinary charges ever heard of. Why the Government had been taunted with having made their policy so plain that it was impossible for the country to overlook it or to support it—that of maintaining the independence and integrity of Turkey—and at the same time hankering after peace, which was considered in the eyes of some a grave offence. The right hon. Gentleman said there was a very general belief in this country that they intended to take up arms in favour of Turkey, and they had carefully concealed from the country that they had no such intention. But what was the fact? From the first the Turkish Government was informed that England did not intend to give them any material assistance, and the whole country was aware of it. There could not be a single person in the Kingdom who did not know that the Government had no intention of taking up arms for Turkey. The right hon. Gentleman alluded to the speech of Lord Beaconsfield at the Guildhall as a menace to Russia, but that was not a just construction to put upon it. Lord Beaconsfield commenced by some most graceful compliments to the peaceful disposition of the Emperor of Russia; and if at the close of his speech he alluded in no boastful manner to the power of England, and said that if called on to wage war it would not be in one or two campaigns that her resources would be exhausted, he should like to know what threat was there contained against the Emperor of Russia? He met the statement of the right hon. Gentleman on that point with a distinct denial. The right hon. Gentleman's third point was that they had displayed an inveterate hostility to Russia. But, if there was one thing more than another which people were disposed to find fault with during the latter months of the year, it was that while the Conference

at Constantinople was going on, very great deference indeed was paid to all the wishes and propositions of Russia. There was, in fact, nothing approaching hostility to Russia, and the English and Russian Plenipotentiaries were on a most cordial and harmonious footing during the whole of that trying period. But the right hon. Gentleman found hostility in the Protocol and the Declaration which Lord Derby appended to it. The answer to that was that the Protocol was a Russian document, submitted to them by Russia with the express object of enabling her to retire without any self-felt disgrace from the armed position she had so unfortunately taken up, and that the Declaration was perfectly well known to the Russian Ambassador as part of the whole transaction. Moreover, did the English Declaration stand alone? There was the the Italian Declaration and the Russian Declaration; and if they were to be told that the English Declaration manifested hostility to Russia, to what, he should like to know, did the Russian Declaration manifest hostility? It might be that the terms in which the Russian Declaration was drawn up were so haughty, so unsatisfactory to the Ministers of the Sultan, that it brought about the failure of the Protocol; but certainly, as far as the English Declaration was concerned, the Protocol never was in the slightest jeopardy. Then the right hon. Gentleman pronounced Lord Derby's answer to Prince Gortchakoff's Circular to be insulting and severe, and said Her Majesty's Government ought never to have answered that Circular at all. But, considering the part England had taken in all these transactions, it was impossible for her to pass by that Circular without taking due and legitimate notice of it; for in that document Prince Gortchakoff claimed to act for England and the other Powers of Europe in the war she had already declared against Turkey; and if Her Majesty's Government had not taken occasion to deny that claim, they would have been held by the country and by Europe at large to have authorized Russia to go to war with Turkey on their behalf. That was his vindication, if vindication was necessary, of the terms of Lord Derby's answer to Prince Gortchakoff's Circular. Now, he wished to discuss for a few moments the Resolution and some sentences in the speech of the right hon. Gentleman the Member for Greenwich. First of all, he desired to make a short personal explanation. In the course of his speech the right hon. Gentleman asked why the Government had not produced Papers showing the atrocities that had been committed in the suppression of the Indian Mutiny? He also asked why Government had not produced a certain despatch detailing the cruelties with which a revolt in Cephalonia had been put down. With regard to the latter, he wished to say that he had since found that a Paper which he handed over to the right hon. Gentleman, under the impression that it was the one to which reference had been made, was a despatch from the Lord High Commissioner of the Ionian Islands, but not one received from the right hon. Gentleman when he held that office. The right hon. Gentleman accused Her Majesty's Government of "shabby" conduct, inasmuch as they had placed on the Table, at the instance of an hon. Gentleman who sat on the other side of the House, Papers relating to cruelties perpetrated by the Russian Government on its own subjects in Poland, and had not also laid on the Table Papers connected with the cruelties of which this country was guilty in the suppression of the Indian Mutiny. If any Government were to be called "shabby" for not producing those Papers, it could not in justice be Her Majesty's present Government. The right hon. Gentleman and his Colleagues were in office when those cruelties were committed, and when, no doubt, the despatches on the subject were received; and they might subsequently, when in office for many years, have produced the Papers if they had thought fit. But was it to be understood that it was "shabby" for a Government to produce Papers which were called for in the ordinary transaction of business by an hon. Gentleman who owed them no official support, because they detailed cruelties committed by a Christian State upon its Christian subjects, and that it was not "shabby" to produce every tittle of tale and rumour that could be extracted from Consul or Vice Consul, provided the Government to which it related was Mussulman, and not Christian? The shabbiness of the transaction was certainly not to be found in the

description given of it by the right hon. Gentleman. Now, with regard to the arguments which the right hon. Gentleman employed in moving his first Resolution, it seemed to him they ought to have culminated, not in a Vote of Censure on the Government of Turkey, but in a Vote of Censure on the Government of England. The whole speech leading up to the Resolutions was one long arraignment of the Government of this country; the product was a censure of the Government of Turkey. But how was this Resolution, this Vote of Censure, to be conveyed to the Government of Turkey? Why, it would remain another of those dead letters, another of those pieces of waste paper upon which the right hon. Gentleman the Member for Greenwich bestowed so much sarcastic eloquence. With regard to the second Resolution—for he supposed the first must be looked upon as in reality only a Preamble to the second—it pledged the House, as he understood it, for all time, against rendering any material or moral support to Turkey. As to material support, Her Majesty's Government had said from the first that it was not their intention to offer any. There had been, and could be, no mistake on that point. As to moral support, it would have been well if the right hon. Gentleman had defined what it meant. It was proposed to pass this Resolution and tie it, as it were, round the necks of Her Majesty's Government, to hamper their actions for the future, although the House had had no definition of the "moral support" which was never, in any circumstances, to be rendered to Turkey. But the right hon. Gentleman, in the course of his speech, seemed to suggest what was in his mind when he talked of moral support. Mr. Layard had been sent to Constantinople as an Ambassador, and the right hon. Gentleman seemed to find great fault with that appointment. Was the sending of Mr. Layard to Constantinople an instance of the moral support from which Government would have been debarred, if this Resolution had been accepted previously by the House of Commons? Was good advice tendered at Constantinople by an Ambassador, be he Mr. Layard or anybody else, moral support? He concluded that it was. The sending of the Fleet to Turkish waters had been a great offence. The right hon. Gentleman had never forgiven it. Well, it might be that in the discharge of their duty to the country Her Majesty's Government might have occasion again to send a British Fleet, if not to Besika Bay, at any rate to Turkish waters. Would that be the moral support to Turkey which was condemned by anticipation in this second Resolution? It was a curious thing that in Lord Palmerston's "Life" there was a private letter of his, written in 1849 to Sir Stratford Canning, in which he spoke of sending a Fleet to Besika Bay as moral support to Turkey. There was reason, then, to ask right hon. Gentlemen opposite to define a little more clearly what they meant by withholding all moral support from Turkey. These two Resolutions, even if the third and fourth were abandoned, were entangling and insidious Resolutions, calculated, if not intended, to weaken the hands and impair the action of Her Majesty's Government, in contingencies which could not be foreseen, but for which the Government should be left free and unfettered. Had the debate shown that the third and fourth Resolutions were absolutely and morally abandoned? Quite the reverse. The hon. Member for Birmingham (Mr. Chamberlain) had shown that three-fourths of the speech of the right hon. Gentleman the Member for Greenwich referred to these third and fourth Resolutions, and there had been no attempt on the part of the subsequent speakers to deny the inference deducible from that fact. The speeches of the hon. Members for Glamorganshire (Mr. Hussey Vivian), Huddersfield (Mr. Leatham), and Sheffield (Mr. Roebuck), all stated distinctly that these Resolutions intended war against Turkey. The third and fourth might be technically withdrawn, but in spirit they were alive; the Resolutions might be sent to a Parliamentary purgatory, but their flavour still permeated the walls of this Assembly. *Quo semel est imbuta recens servabit odorem Testa diu.* While talking about the Protocol which was rendered harmless by Lord Derby's Declaration, let them look at that which was held up for their admiration in the four suspended Resolutions. The Protocol of 1826 had no safeguard attached to it as had that of 1877; the Protocol of 1826 led to the Treaty of 1827, that to the untoward event of Navarino, and that to the campaign

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of 1828-9 and the disastrous Treaty of Adrianople; and it was that Protocol of 1826 and the Treaty of 1827 they were now invited to imitate, emulate, and copy. When this was made clear to the people of England there would be no outcry in favour of imitating the Protocol of 1826. The Protocol of 1877 having lapsed through the action of Russia, aided by the unfortunate obstinacy of Turkey, Europe found herself once more free—England, Austria, Turkey, Italy, and France were free. Countries that agreed to the Protocol were also free in their Legislative Assemblies; but in neither Austria, Hungary, Italy, nor France had any right hon. Member for Greenwich proposed Resolutions to goad or hinder the action of the Government; and it was reserved to the right hon. Gentleman to attempt to fetter and humiliate the Government of his own country, which he did not seem disposed to challenge in a more direct manner. He had mentioned Hungary, which seemed to have lost the sympathy of the right hon. Gentleman; but Hungarian patriots owed a deep debt of gratitude to the "anti-human Turks;" and it might be that the Hungarians of 1877 were not thinking merely of their own interest, but were actuated by the nobler sentiment of gratitude. The position in which we found ourselves was this—that by the obstinacy of Turkey and the fatal precipitancy of Russia, the concert of Europe was destroyed and war had broken out. What, then, was the duty of the English Government? According to the right hon. Gentleman it was to follow submissively at the heels and beck of Russia, and join our forces in coercing Turkey. That was not the view which the Government took of their position and duty. They had throughout maintained, in spite of all that had been said by the right hon. Member for the University of London (Mr. Lowe), the utmost frankness. Russia had no cause to complain of their having concealed one jot or tittle of their policy from her. She knew what interests of theirs it would be their duty to maintain and defend. It was clear to the House and the country that, in a great war of this kind, commenced, as they thought, without any justifiable cause—a war which was embracing a great portion of Asia as well as of Europe in its scope—with our vast Empire and our varied and ramified interests in three quarters of the globe, it was the primary and paramount duty of England not now to be thinking, as these Resolutions would bid them think, of more guarantees, more Protocols, more Conferences, or the *minutiæ* of autonomy here or there, but to see that in this great and mighty contest none of the interests of their Empire that might be affected by the war were jeopardized or sacrificed. That was the duty to which Her Majesty's Ministers were devoting themselves. The issue was plain before the House. If the House was of opinion that the policy adumbrated in the first two Resolutions, and carried to their legitimate extent in the last two—a policy of coercive interference in the wake of Russia with the internal concerns of Turkey—was the just and wise policy for this country to pursue, let them say so. But if, on the other hand, the House was of opinion that the policy which the Government had uniformly pursued since these unfortunate events occurred—the policy of respecting the Treaties to which they were parties, the policy of struggling to maintain European peace and European concord, and the policy of vindicating, by peaceful means if possible — God grant they might be peaceful to the end of the chapter, but by any means if necessary—the essential interests, rights, honour, and integrity of this great Empire—then he asked that these Resolutions of the right hon. Gentleman might be rejected by a majority so decisive that neither in this country nor elsewhere could there be any mistake as to the predominant and paramount opinions of the Representatives of the people of this great country.

MR. MUNDELLA moved the adjournment of the debate.

THE CHANCELLOR OF THE EXCHEQUER thought that as many Members who desired to speak had not yet had the opportunity, the debate might be adjourned.

CAPTAIN NOLAN hoped that the right hon. Gentleman would allow the debate to be prolonged two more days, seeing that some of the Irish Members were desirous to speak.

THE CHANCELLOR OF THE EXCHEQUER said, he had no right to speak again; but it rested with the House to prolong the debate if it should be thought necessary, and the Government

would not offer any opposition to their wish.

Motion *agreed to.*

Debate *adjourned* till *Thursday.*

MR. JAMES DEMPSEY.

MOTION FOR RETURNS.

MR. BIGGAR moved for

"Returns of the decisions of the Justices at Quarter Sessions for the county of Antrim, and the grounds of same; of the decisions of the Recorder of the Borough of Belfast, and the grounds of same, in the matter of the several applications for Certificate to enable Mr. James Dempsey to obtain transfer of, and removal of, spirit licence to premises situate on Shore Road, Belfast; and, of the decision in Queen's Bench in relation to refusal of said transfer, and the affidavits relating thereto, between the first application at October Quarter Sessions in 1874 and the present time."

The hon. Member said, Mr. Dempsey endeavoured to obtain a transfer of his licence, and it was opposed by a person who did not even live in the same road. The transfer was not granted, and no reason was assigned for it. He believed the real reason was the jealousy of the magistrates to granting another licence in the district. He could not see how the Government could refuse the application of Mr. Dempsey to have the reasons given for the refusal of the transfer, nor could he understand that there could be any ground for refusing the affidavits relating to the matter. According to law and fairness Mr. Dempsey should know the grounds of refusal. One result was that for two miles there was not a public-house. If public-houses were for the accommodation of the public they should surely be placed at a less distance than two miles. In this case there was no pretence that Mr. Dempsey was not a fit person to receive a licence, and the grounds of the refusal he (Mr. Biggar) did not know.

Motion made, and Question proposed,

"That there be laid before this House, Returns of the decisions of the Justices at Quarter Sessions for the county of Antrim, and the grounds of same:

"Of the decisions of the Recorder of the borough of Belfast, and the grounds of same, in the matter of the several applications for Certificate to enable Mr. James Dempsey to obtain transfer of, and removal of, spirit licence to premises situate on Shore Road, Belfast:

"And, of the decision in Queen's Bench in relation to refusal of said transfer, and the affidavits relating thereto, between the first application at October Quarter Sessions in 1874 and present time."—(*Mr. Biggar.*)

MR. WHALLEY objected, as a matter of principle, to printing such Returns, and suggested that the hon. Member should be allowed to inspect the documents at that Department.

THE ATTORNEY GENERAL for IRELAND (MR. GIBSON) said, he could not see how the House could go into the matter when the licensing sessions, having considered the whole question, exercising their discretion in the matter, had decided against Mr. Dempsey. The matter was twice investigated again, and the Court of Queen's Bench on the first occasion decided a point in favour of, and on the second occasion in Ireland decided against Mr. Dempsey. The Court of Queen's Bench in Ireland, as in England, acted as a Court of Appeal in licensing cases, and he did not see how the House of Commons could entertain such an application, which would practically constitute the House a Court of Appeal from the Queen's Bench. The inquisitorial investigation asked for was one he could not accede to.

CAPTAIN NOLAN pointed out that public-houses in Ireland were important for electioneering purposes, and the people were jealous of such power being exercised in an arbitrary manner by the Government, as in some cases licences had been refused because of the political opinions of the landlord.

MR. BIGGAR said, he did not ask for an inquiry, but simply a Return, and hoped the House would grant it. He believed it to be of great importance, and should certainly divide the House.

Question put.

The House *divided*:—Ayes 17; Noes 140: Majority 123.—(Div. List, No. 117.)

SUMMARY JURISDICTION (IRELAND) (NO. 2) BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to amend the Law relating to Courts of Summary Jurisdiction in Ireland, *ordered* to be brought in by Sir COLMAN O'LOGHLEN and Mr. ERRINGTON.

Bill *presented*, and read the first time. [Bill 169.]

House adjourned at One o'clock.

HOUSE OF COMMONS,

Wednesday, 9th May, 1877.

MINUTES.]—PUBLIC BILLS—*Ordered—First Reading*—Marriage Preliminaries (Scotland) * [161].

Second Reading—County Courts Jurisdiction Extension [110], *put off;* Voters (Ireland) [82], *put off;* Pier and Harbour Orders Confirmation (No. 2) * [154].

Select Committee—Report—Sale of Intoxicating Liquors on Sunday (Ireland) * [50-160].

Withdrawn—Employers and Workmen Act (Extension to Seamen) [39]; Homicide Law Amendment [104]; Bar of England and of Ireland [80].

ASCENSION DAY—COMMITTEES.

Ordered, That Committees shall not sit To-morrow, being Ascension Day, until Two of the clock, and have leave to sit until Six of the clock, notwithstanding the sitting of the House. —(*Mr. Chancellor of the Exchequer.*)

ORDERS OF THE DAY.

EMPLOYERS AND WORKMEN ACT (EXTENSION TO SEAMEN) BILL.—[BILL 39.]

(*Mr. Burt, Mr. J. Cowen, Mr. Mundella, Dr. Cameron, Mr. Gourley.*)

SECOND READING. BILL WITHDRAWN.

Order for Second Reading read.

MR. BURT said, that after the statement which had recently been made by the right hon. Gentleman the President of the Board of Trade, that the Government had a Bill ready drafted to deal with the question of breach of contracts and the discipline of seamen, he should best consult the convenience of the House by moving the discharge of the Order for the second reading of the Bill which he had introduced. He trusted that the Government measure would be introduced on an early day, and if it should fulfil the promise made by the right hon. Gentleman the Home Secretary last year, and assimilated the laws for breach of contract in the case of seamen with the provisions of the Employers and Workmen Act of 1875, he should not find it necessary to propose any measure on the subject. If, however, the Bill of the Government should not go far enough in the direction which he thought desirable he should have an opportunity of moving Amendments in Committee.

Motion agreed to.

Order *discharged:* Bill *withdrawn.*

COUNTY COURTS JURISDICTION EXTENSION BILL.—[BILL 110.]

(*Sir Eardley Wilmot, Mr. Forsyth.*)

SECOND READING.

Order for Second Reading read.

SIR EARDLEY WILMOT, in moving that the Bill be now read a second time, said, that he had had the honour of being a Judge of County Courts for 20 years at Bristol and Chelsea, and therefore he had considerable experience of their working. He had also had many opportunities of conferring with men of experience upon the subject. The Bill proposed in all actions of contract or tort to give the plaintiff the opportunity of bringing his action in the County Courts. The jurisdiction of these Courts was at present limited to £50, except by the consent of the parties, for debt, and £500 in administration actions; but he now proposed that they should have unlimited jurisdiction, with power to defendant to apply to remove the action to the Superior Court on giving security for costs. He pointed out that Lord Brougham, who might be described as the founder of the County Courts, was, up to the time of his death, the zealous advocate of the change proposed to be made by this Bill. The Judicature Commissioners had also approved of it. After receiving evidence from various Courts in the Kingdom, they, in 1872, made their Report, and among other things recommended the extension of the County Court jurisdiction exactly in the way his Bill advised. It might be argued that he was proposing to extend the jurisdiction of these Courts far beyond what they were originally intended to cover; but if this were the first time that their jurisdiction had been increased something might be said on that point. The fact, however, was, that the jurisdiction of these Courts had been very considerably enlarged since their formation in 1846. He contended that the County Court Judges might be safely entrusted with the extended jurisdiction proposed to be given to them. Bankruptcy cases in the provinces were now dealt with by the County Courts to any amount, and only the other day a case involving liabilities to the amount of £100,000 was brought into one of the County Courts. They had now jurisdiction in Admiralty cases and salvage cases to the extent of

£300 and also in certain cases of title. The time had now come to extend their jurisdiction, and to give the plaintiff what he might call free trade in law. It was rather hard, if a man living in a distant part of England had an action for £51 just after the Assizes, that he should be compelled to come to London at a great expense and considerable delay. In support of this Bill he would just refer to two cases to show what the costs were in each. In one case at Huddersfield, which occupied 28 days, and when the verdict was for the plaintiff with 40*s.* damages, the costs were £10; and in the other, which occupied about 11 months from beginning to the end in a Superior Court at Westminster, and where the result was 40*s.* damages, the costs were £540. He thought it was clear that suitors would be spared the expenditure of large costs if their actions were tried in the County Courts. It was, moreover, desirable to relieve the block of business in London, and this Bill would have a tendency to lessen the pressure upon the Superior Courts. He regretted to find that the Bill was to be opposed by the hon. and learned Member for Beaumaris (Mr. Morgan Lloyd), as it was a Liberal measure and was accepted by the country generally. The hon. Gentleman concluded by moving the second reading of the Bill.

MR. FORSYTH seconded the Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Eardley Wilmot.*)

MR. MORGAN LLOYD, in moving that the Bill be read a second time that day six months, said, that as a matter of feeling he would have been glad if he could have agreed with his hon. and learned Friend the Member for South Warwickshire, but he could not, as he conscientiously believed that the passing of this Bill would be very injurious to the country generally. No doubt the County Court system required amendment, and he would not object to see a thorough amalgamation of the High Court of Justice and the County Courts, but that would be a matter which would require very serious consideration, and could not be dealt with at present. The County Courts were originally established because it was found inconvenient and expensive to have cases of great importance and also actions to recover small debts disposed of by one and the same tribunal. In their working the County Courts had proved to be most beneficial to the country. The expense to the suitor was comparatively small, and justice was not only cheaply, but speedily obtained. If, however, the jurisdiction of those Courts was greatly extended—and the extension would be unlimited under the Bill before the House—they might as well abolish the County Courts altogether, and leave all cases, great and small, to be determined by the Superior Courts. The ordinary business of the County Courts would be set aside if the Bill were passed and the system recommended carried out, and thus their peculiar value and usefulness would be greatly impaired, if not altogether destroyed. If the subject was to be taken up at all it would be better to create additional Judges at Westminster for the purpose of facilitating the despatch of the legal business of the country. Local Courts were good for local purposes; but if Parliament attempted to make Superior Courts of them they would ruin them for all time. What was really wanted was an improvement and extension of the Circuit system and the localizing of actions in the Superior Courts. If that were done the County Court Judges would be more trusted, and would be more responsible to public opinion. Those Judges should not always go to the same places, but should go through the districts as strangers, and then they would not be disposed to show any undue favour to suitors. He trusted that that subject would not be lost sight of by Her Majesty's Government, more especially having regard to the present press of business in Westminster Hall. He begged to move that the Bill be read a second time that day six months.

MR. COLE said, he had much pleasure in seconding the Amendment as he had seldom seen in such a few lines a Bill which if passed would do more injury. He believed that one consequence of the passing of the Bill would be the practical repeal of the Judicature Act of 1875, as by it any action might be brought in a County Court, and could not be removed into the Superior Courts unless the damages claimed amounted to £50, while some of the most important actions were not brought to recover damages at all. To extend the jurisdic-

tion as proposed by the Bill it would be necessary to have fresh machinery, because the office of Judge of a County Court was not generally filled by the most distinguished members of the Profession. Nothing could be more valuable in the shape of a Court of Justice than the County Courts, as tribunals for the recovery of small debts; but to make them, in effect, Superior Courts with a widely extended jurisdiction would be to create delay in the obtaining of justice, to greatly increase expense, and generally to interfere with the proper function of an excellent institution. The Bill was not made to apply to proceedings in Chancery. Why? He should give the Bill his most strenuous opposition.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Morgan Lloyd.*)

MR. FORSYTH said, that he believed that the principle of the Bill was good, and that the measure if passed would be of great benefit to the country. The arguments he had heard urged against the measure had been used against the original proposal to establish County Courts. All kinds of evil had been predicted to the Bar and to the country as likely to arise if the new system were set up; but he ventured to say that no more useful measure had been adopted within the present century than the County Courts Act had proved to be. The original Act limited actions to £20, but in 1856 the jurisdiction was extended to £50 in all cases of contract, and by agreement it was unlimited, except as regarded some particular actions. He maintained that the House would be proceeding in the right direction by now enacting that cases of contract and tort should be tried in the County Court without limit as to amount, except in such cases where a Judge thought the case should not be tried in the County Court. It seemed to be thought that County Court Judges were not fitted to try cases where large sums were involved, but the Recorder of London could try such cases, and they were tried at the Passage Court at Liverpool, and he believed at the Toolsey Court, in Bristol, if the cause of action arose within the jurisdiction. He did not wish to praise undaly the County Court Judges; but from the reports of cases which he had read in *The Law Times* he was much impressed with the great ability which they displayed in dealing with the cases that came before them. He thought that the County Court Judges should be paid higher salaries. The arrears in our Courts were appalling, and unless something was done to relieve the congestion of the Superior Courts our judicial business would come to a dead-lock. If more important cases were brought before the County Court Judges he believed that greater care would be taken in selecting men to fill the office of Judge. At present, a great deal of the work of the Courts in undefended cases had to be disposed of by the Registrars, and he thought that their jurisdiction might be extended in small cases. It seemed so be thought by some that justice existed for the Bar of England; but he believed that the Bar of England existed for the purpose of allowing justice to be administered to all alike. He would never allow that the Bar should stand in the way of what he considered a boon to the public—that of obtaining cheap and speedy justice. He looked forward to the time when the great mass of the legal business of the country would be begun in local centres, instead of being brought up to London. In conclusion, he expressed a hope that the House would sanction the principle of the Bill by affirming the second reading.

MR. NORWOOD said, that the County Courts were a valuable institution, as they dispensed even-handed justice at a small expense at the doors of the humblest suitors. He had endeavoured to enlarge their jurisdiction, and would have no objection to see it still further extended, but he did not approve of this Bill. It was not sufficiently comprehensive, and it contained some objectionable propositions. He complained that the Judges were not selected for their legal attainments, but as a means of patronage for faithful services. He thought that the Registrars had too much power, as every subject of the Queen had a right to have his case tried before a Judge, and not by a Registrar. This was a sweeping and revolutionary measure, and he should vote against the second reading.

MR. GREGORY said, that if he regarded the Bill solely in the interests of

his Profession he should support it, but in the interests of the public he must oppose the second reading. The Alpha and Omega of the Bill was to give unlimited jurisdiction to the County Courts. The present law in respect to County Courts had several defects. He objected, for instance, to the power which the Judge possessed of appointing another person to act for him, who might be more or less qualified. The Registrars, again, who might be practising solicitors, had too much power. It was said the County Courts were a cheap tribunal; but, according to his calculation, the costs amounted to fully 40 per cent of the amounts recovered. This Bill would not amend these defects, but would take away from the defendant his Common Law right of having the plaint against him tried in a Superior Court, for that was what the provision calling on him to give security for costs amounted to. The tendency of litigants was more and more to have recourse to the Superior Courts. This, he thought, was a certain test of the confidence reposed by the public in those Courts, where cases were tried in a more satisfactory manner than they were by the inferior tribunals. This was a good reason for not extending the jurisdiction of the County Courts. If they now gave that unlimited jurisdiction they would have to pay the Judges much higher salaries than at present.

MR. HIBBERT said, that while he was ready to support any fair proposal to extend the special jurisdiction of the County Courts, he could not vote for so sweeping a measure as that which was now under the consideration of the House. He hoped that the Government would fully consider the whole question, either by reference to a Committee or in some other way. A Bill might, with advantage, be brought in to extend the jurisdiction of County Courts from its present limit of £50 to £100, or thereabouts. Whether the Bill passed or not, he thought the Government would do well to take into account the additional work which had been thrown upon many of the Judges of late, and propose that their salaries should be increased. Since those salaries were fixed in 1865 the amount of their judicial work had been doubled. When the Bankruptcy Bill was before the House in 1869 he brought forward an Amendment which had reference to the increase of the salaries of County Court Judges. He had the assistance of his right hon. Friend (Mr. Cross), now the Home Secretary, who seconded the Amendment; but they were not able to carry it, as the question was then under the consideration of the Judicature Commission. Since that time various Acts had been passed throwing additional duties upon County Court Judges, but no addition had been made to their salaries. He did not say that a case could be made out for the increase of the salary of every Judge, because there was a great difference in the amount of work which they had to perform in the various circuits of the country, but he thought it deserved the consideration of the Government whether they could not reduce the number of the circuits, and out of the saving to be effected give increased salaries to the remaining Judges.

MR. WHEELHOUSE assured the House that it was not without something like pain he felt himself obliged to oppose the Bill of his hon. Friend; but he had come to the determination—one well considered, moreover, before he arrived at it—that so far as County Courts were concerned, and so long as they were constituted as they at present were, the jurisdiction they now possessed was amply sufficient for them. In the first place, it must be remembered that there were, really, two very different classes of County Courts in this country. In the Courts of the metropolis, and of the large manufacturing centres, there was an enormous amount of work, consisting of commercial inquiries, bankruptcies, Admiralty jurisdiction in the port towns, and Equity, more or less, in all of them. On the other hand, there were the country districts, with large territorial interests and acreage, in which the Courts had certainly but very little to do, in the sense of having the larger inquiries referred to them. But while he bore that distinction fully in mind, he, for his own part, could not think it desirable to extend the County Court jurisdiction either in the one case, or the other. It was certainly undesirable to extend it in the larger centres, because, at present, the County Court Judges in those localities had, already, more then enough to do. He was also bound to say—speaking with all due respect for the Judges in the Superior Courts—that in former

years it had been the practice of the Courts above to send down to the Judges sitting in the large centres a number of records to be tried which did not belong, properly speaking, to the County Courts as such, but which the Judges of the Inferior Courts were obliged to take, because because they had been sent down to them under statutory order. By these means, the time and opportunities of the Judges, which ought to be at the disposal—or rather for the use of—the poorer class of County Court suitors, for whose cases these Courts, be it always remembered, were introduced and intended, were displaced to make provision for the trial of these records. He was quite aware that of late the Judges of the Superior Courts had been somewhat more careful than formerly in sending down cases to the County Courts, because they knew perfectly well that the County Court Judge generally had more than sufficient work of his own to which to attend. There was another reason why he thought it very undesirable that the jurisdiction of the County Courts should be extended in the direction towards which the present measure seemed to point. The reason had been slightly glanced at before, but it was one which, with all due respect to those hon. Members who had spoken on the measure, he ventured to think they could not, and did not, appreciate as fully as those who had had a large practice in the County Courts. The objection was this, and it went far deeper than the mere superficies—In many localities, a sort of family feeling pervaded, not merely the Court itself, but the people in attachment with the tribunal, from the Judge down to the lowest official, and this feeling rendered it very undesirable to extend the jurisdiction of the tribunal. It was far better, indeed, absolutely necessary, that these things should be thoroughly and widely known. He himself was personally acquainted with one instance, where a County Court Judge, almost simultaneously with his own appointment to office, brought down and established his own son, then a mere boy, as one of the practitioners in his own Court. It was, of course, in a case like this, scarcely possible to put a finger upon any particular instance in which absolute wrong could be proved to have been done to any named suitor; but there was the Judge, and there was the advocate, and it must inevitably be considered desirable to get hold of the latter as counsel wherever it was practicable. It was almost more than mortal to imagine that such should not be supposed to be the result; and, even if there were no reality in the proposition, there was, at least, an undesirable semblance of truth about it. He need not endeavour to impress upon the good sense of the House that this feeling not only might be, but actually was, of more evil consequence than the reality itself. He repeated, there was the father sitting as Judge, and there was the son constantly engaged before him, in the small, and—if he might venture so to name them—the half irresponsible local tribunals of the country districts, and, it was needless to tell the House that, though the justice administered there might be absolutely pure, nothing would induce the litigant who lost, and scarcely anything could convince the outside public, under such circumstances, to believe it so. He would only ask—Could such a state of things be desirable or conducive to the public welfare? For his part, he had no hesitation in pronouncing, from his place in that House, that such occurrences as these were a living scandal. There were, he believed, other instances to which the same principle applied, although, perhaps, not so strongly. Still, however, it did apply, and he was desirous, therefore, that under no circumstances whatever, should there be any chance of such family influences henceforward being allowed to permeate our local Courts of Justice, or that it should be possible, by any accident, to suppose that the fount from which justice sprung was tainted in the slightest degree. He also further objected to every Bill which gave any such power as the present measure sought to do—namely, that of enabling a suitor to throw unreasonable expenses in the way of a defendant. A suitor by a Common Law proceeding—whatever that might be—in a County Court could, at his own instance, although he had not the shadow of a ground of action against a defendant, set the law in motion, and the unfortunate defendant, before he could remove the hearing from the County Court jurisdiction, in order to take the opinion of the Court above, must be provided

with the means of offering security for the payment of costs. Was that fair? Was it just? For example, suppose he himself chose to bring an action against any one of his fellow-Members in that House? It was perfectly true, thank goodness, that he had no right to do so, and had, most assuredly, no wish or expectation of doing it to the extent of one single farthing; but if, under such circumstances, he thought fit to do so, under this Bill the defendant, if he were desirous, for any reason, of seeking the opinion of a Superior Court, must first find security for costs. Why should such a system prevail? It was suggested that every plaintiff had some right, and that if he had not some grounds for suing, he never would proceed. His experience told him that this was by no means always the case. A man was too often dragged into a Court to defend something which he ought never to be called upon to answer. Then, there was another objection to this Bill. If anyone supposed that when a man sued, in the first instance, in a Court of limited jurisdiction from which there was an appeal—and in the event of enlarging the extent, they could scarcely do so without granting the right to appeal in such cases as these—he was at all likely to save expense, he counted sorely without his host. The moment the jurisdiction of a County Court was exercised, one side or the other was sure to be dissatisfied with the views expressed by the Judge, or taken by the jury. It was bad enough that any man should be at liberty to sue another really causelessly; but the hardship was intensely magnified when he was enabled to drag his opponent through a long series of Courts, and at no end of cost. But, even that was not the whole of the evil. In the language of this Bill, he did not see exactly how they were to make out the County Courts in which the plaintiff was entitled to sue. Surely a defendant had a right to know where he was to be sued, and under what circumstances he was called upon to answer. It was said this Bill intended that you should confine yourselves to debts and damages; but what about those other cases, the number of which was very great, where debts and damages did not enter. These points ought to be better defined than they were in this Bill. He thought that if this Bill was passed, they would not only repeal the present Judicature Act, but upset the whole system of judicature, and introduce a totally new state of procedure. If anyone knew what these County Courts were like—what they were—what Registrars did—how often there was just the opinion of one person to guide a decision—they would feel that it was not desirable to extend the system as it was at present. If they had a jury in all cases, that, indeed, might mitigate the evil. Then there was another matter arising out of this Bill. He had long thought it was necessary to increase the Judicial power in this country. The sooner they did this, so much the better; but he did not hesitate to affirm that, in his opinion, it was to be done by increasing the Judicial Staff in Westminster Hall. In the meantime, if any action was to be taken, let them, if they so pleased, go to a Select Committee. Instead of having any extension of the County Courts as they existed at present, let them go on totally different lines. There were three or four other matters with which he might deal, but he thought the limit had already been reached in respect to County Court jurisdiction under present arrangements. He hoped that limit would not be extended; but if there was to be any extension, he hoped it would be in an altogether different direction from that proposed in this Bill.

SIR COLMAN O'LOGHLEN hoped that the hon. and learned Baronet who had brought forward the Bill would withdraw it and not put the House to the trouble of a division, as it was impossible that he could go to a division with any chance of success. The matter had better be left in the hands of Her Majesty's Government. The hon. and learned Member for Leeds had expressed an opinion that the jurisdiction of the County Courts ought not to be increased. He, on the contrary, thought it ought to be increased very considerably. In matters of debt he would give the County Courts both in England and Ireland an unlimited jurisdiction, as was the case as regarded the Sheriffs' Courts in Scotland. One fatal objection to this Bill was that it contained a clause which would compel a defendant to give security for costs in order to get the opinion of a Superior Court in a case in which he thought he ought to get such an opinion. That clause, no doubt, might be

removed in Committee; but the principle of that clause was so much interwoven with other parts of the Bill, that the House ought not to give it a second reading. He certainly thought the salaries of the Judges ought to be increased, and recommended the Attorney General for Ireland to bear in mind in the preparation of his Bill in reference to the Irish County Courts what had just fallen from the hon. Gentleman the Member for Oldham.

MR. MELLOR denied that the County Court Judges were underpaid. They received £1,500 per annum for two and three quarters' days' work in each week, with travelling and subsistence allowance. He thought they were scandalously overpaid. In fact, the Registrars did all the work, or, at least, a large percentage of it. This Bill emanated from lawyers. He always looked with suspicion on members of that class in the House, because the tendency of all their legislation was to swell our annual expenditure; and unless the measures of lawyers in the House were checked, instead of having a national expenditure of £78,000,000 a-year, it would rise to £90,000,000 in no time.

THE ATTORNEY GENERAL said, the hon. and learned Gentleman who introduced the Bill did not seem to have had enthusiastic support even from those who, according to the hon. Member who had just spoken, were always ready to support anything that would cause an increase of expenditure. While many hon. Members were in favour of the extension of the jurisdiction of the County Courts, it was admitted that this Bill contained grave defects. In the first place, he questioned if, since the passing of the Supreme Court of Judicature Act, in which Common Law had been swallowed up by Equity, if any such thing as a Common Law action could exist. He considered, too, that the provision calling upon the defendant who might wish to have his case tried in a Superior Court to give security for costs was one in favour of the rich and adverse to the poor client. The principle of the Bill, as he understood it, was to give extended and exclusive jurisdiction to County Courts in all cases where the defendant who was sued could not remove the suit to a Superior Court, and that was, in his opinion, a principle which instead of approving they should altogether discountenance. Reference had been made to the extent to which the business of the County Courts was now in the hands of the Registrars. However small the cause might be, he thought the parties had a right to have it decided, so far as possible, by the Judge, and not by the Registrar; and they ought not, by any Bill like the present one, to intensify the existing evil. If they passed this Bill the time of the County Court Judges would be occupied in trying important cases, and they would be overwhelmed with that business which now found its way into the Superior Courts. It was said that this would relieve the press of business which now existed in these Courts. No doubt that would, to some extent, be the case; and he was not prepared to say that it would not be desirable to extend the jurisdiction of the County Courts to a certain extent. He was not in a position to pledge himself or the Government to such a measure; but it was well worth considering whether, under existing circumstances, they should extend the concurrent jurisdiction of the County Courts to all cases exceeding £50 and under £100, as had been suggested by the hon. Member for Oldham (Mr. Hibbert). That was a very different thing from establishing an unlimited jurisdiction; and rather than take that means of relieving the pressure on the Superior Courts, he would support an increase in the Judicial Staff of the High Court of Justice.

SIR EARDLEY WILMOT replied, answering in detail the various objections which had been taken to the Bill, and warmly defending the character as well as advocating the claims of the County Court Judges—a class to which he himself had had the honour to belong. He expressed his satisfaction that the hon. and learned Gentleman the Attorney General had given his approval to the principle of extending the jurisdiction of the County Courts to £100. He was ready to withdraw the Bill, the main provisions of which, he believed, would sooner or later become law. That day's discussion, he was confident, would yield solid fruits; and he urged on the Government and the House the expediency of appointing a Select Committee to see how far and in what manner the civil business of our Courts could be more satisfactorily despatched.

MR. WHALLEY wished to call attention, by way of protest and warning, to the state of civil business in the Courts, which was becoming worse and worse, and which had been aggravated by the Judicature Act. The cause of the block of business and of the delay and confusion in transacting it was due in a large measure to the fact that Common Law had been swallowed up by her sister Equity.

Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

HOMICIDE LAW AMENDMENT BILL.
[BILL 104.]
(*Sir Eardley Wilmot, Mr. Whitwell.*)

SECOND READING. BILL WITHDRAWN.

Order for Second Reading read.

SIR EARDLEY WILMOT said, he should not proceed with the Bill, as he understood that Her Majesty's Government did not intend to give him support. He therefore moved that the Order be discharged, and asked leave to withdraw the Bill.

Order *discharged;* Bill *withdrawn.*

BAR OF ENGLAND AND OF IRELAND BILL.—[BILL 80.]
(*Sir Colman O'Loghlen, Mr. MacCarthy Downing, Mr. W. Johnston, Mr. Meldon.*)

SECOND READING.

Order for Second Reading read.

SIR COLMAN O'LOGHLEN, in moving that the Bill be now read a second time, said, its object was to enable a member of the Irish Bar to practise in England and a member of the English Bar to practise in Ireland. It did not propose to abolish either Bar, but provided that the Benchers of the King's Inns in Ireland should admit members of the English Bar to practice in Ireland and that the Benchers of the English Inns of Court should admit Irish Barristers to practise in the Courts of this country. It was an extraordinary thing that the distinction between the English and the Irish Bars should have been maintained so long. Any man having a medical or surgical degree in Ireland could practise his Profession in England, and our English medical man could practise in Ireland. An Irish clergyman could be appointed to a living in England, and a graduate of the Dublin University could obtain an *ad eundem* degree from the University of Oxford or of Cambridge. He could not understand, therefore, on what principle it was that a distinction such as now existed should be kept up between the Bars of the two countries, and why an Irish barrister should not be admitted to the English Bar, or an English barrister to the Irish Bar without the necessity of eating dinners or passing an examination. The Bill proposed that a roll of English barristers entitled to practise in Ireland should be kept at the King's Inns, Dublin, and that rolls of Irish barristers entitled to practise in England should be kept at the English Inns of Court. The Bill did not propose to give any absolute right to an English barrister to practise in Ireland, or an Irish barrister in England. It only provided that a member of either Bar might present a memorial to the Irish or English Benchers to practice in Ireland or England, as the case might be, and the Benchers would have power to grant this permission. The moment a man was so admitted to practise at the Bar of either country he would become subject to the Benchers of that country, and might be disbarred or prevented from practising in the same way as if he had been originally a member of the country in which he was allowed to practice. English barristers would have the same rank in Ireland as they had in their own country, and the same rule would apply to their Irish brethren practising in England. The Bill, however, provided that no member either of the English Bar admitted to practise in Ireland, or any member of the Irish Bar admitted to practise in England, should be allowed to hold office in the country of the Bar to which he was admitted *ad eundem.* Thus the measure did not amalgamate the Bar of the two countries—it merely conferred a right to practise, and he did not see why this right should be denied when it was granted in the case of all other Professions. He did not think for a moment the English Bar could imagine that a few barristers from Ireland could deprive

the English Bar of any portion of their practice. Under the Judicature Act a right was given to sue an Irish resident in Westminster Hall, and although that had been protested against the fact remained. He thought it hard that an Irishman so sued should be deprived of the right to have Irish counsel for his defence. The Irish Bar generally approved the first part of the Bill, in favour of which a resolution had been passed by the Munster Circuit. But he must admit that the same unanimity did not extend to the second part of the Bill, which enabled Her Majesty, if she thought fit, to send an Irish Judge to go Circuit; or sit *in banco* in England, when from the press of business there was not enough of English Judges to dispose of it. It was often said that there were too many Judges in Ireland and too few in England. For this state of things this provision would supply a remedy. In like measure the Bill would give power to the Queen to send over an English Judge to go Circuit or sit *in banco* in Ireland; but, although this power was formally given, everyone knew that it would never be exercised, as the English Judges had quite enough to do to dispose of their own work. In this respect he admitted that the Bill would practically be one-sided. It was said that one effect of the Bill would be to abolish the Bar of Ireland. Nothing could be further than this from his wish. As the son of an Irish Judge he would be the last to propose as to advocate any measure that would abolish the Irish Bar. He did not believe that would be the effect of the measure, and he certainly thought the time had come when the distinction between the two Bars should be done away with, and that they and the Judges of the two countries should be rendered interchangeable. The right hon. and learned Baronet concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Colman O'Loghlen.*)

SIR HENRY JAMES hoped his right hon. and learned Friend would be satisfied with the courtesy shown him by not entering Notice of opposition to his Bill, in order that he might be enabled at any time to obtain a discussion upon it, and that he would not be disappointed if he did not receive any further support from the Members of the English Bar in that House. If his right hon. and learned Friend's proposal were of equal advantage to the Bars of both countries, why was it that there was not the name of a single English Member on the back of the Bill? He found, however, it was introduced by four Members of the Irish Bar. His right hon. and learned Friend had, he believed, expressed a desire for Home Rule. He wished Irishmen to have the regulation of the internal affairs of their own country. [Sir COLMAN O'LOGHLEN: Hear, hear!] Why, then, was the right hon. and learned Gentleman not satisfied with the Home Rule which Ireland possessed in respect to her Bar, which was exclusively under the management and control of the Benchers of the King's Inns and of the Bar itself? He should have thought that the principle of Home Rule was altogether opposed to the introduction of English Judges and barristers into Ireland in the manner here proposed. He could assure the right hon. and learned Gentleman that the members of the English Bar were perfectly willing to allow Ireland Home Rule in this matter; they had no wish to intrude their rules or themselves upon their Irish friends. His right hon. and learned Friend said the Bill only enabled the Inns of Court here to admit an Irish barrister to a sort of *ad eundem* degree. As a matter of fact, they had perfect freedom to do that at present if they pleased; but what the Bill said was, not that the Benchers might admit a member of the Irish Bar to practise in the English Courts, but that they should do so; for under the 4th clause, if the applicant got a certain certificate from the Benchers of the King's Inns, the English Benchers must admit him. But, apart from these considerations, he was unable to give the Bill his support. He denied at once that he was speaking in defence of vested interests. He did not deny that he did not desire the competition with the English Bar which would be provoked by the migration of the Irish Bar to England in search of a larger area of practice and more lucrative practice. In consequence of the comparatively limited area of practice in Ireland there was little competition there, and a barrister obtained rank much more easily in Ireland than in England. It would be very unjust to

allow a man who had obtained the rank of Q.C. in Ireland to bring that rank over to England, and there take precedence over English barristers who had made their way much more slowly and with more difficulty. Thus his right hon. and learned Friend the Attorney General for Ireland would by this Bill take rank at the English Bar over everyone except the Attorney General for England. Then there were other objections to the Bill. The King's Inns in Ireland were voluntary bodies. They could make their own rules, and Parliament had no control over them. Supposing the King's Inns chose to diminish their time for admission to the Bar to one term, while the English Inns retained the three terms, as at present, the result would be that people would go over to Ireland to be called there in order that they might afterwards be admitted *ad eundem* in England. He repeated that the English Bar obtained no reciprocal advantages for those which the Bill would give to the Irish Bar. As for the interchange of Judges, the right hon. and learned Gentleman seemed to have forgotten that the laws of the two countries were not the same, and that a Judge could not be expected satisfactorily to administer laws with which he was not familiar. He had a great many objections to the Bill in detail; but after the radical defects he had pointed out he did not think it worth while to mention them.

MR. MELDON said, that the speech of the hon. and learned Member for Taunton (Sir Henry James) was an instance of the manner in which Irish complaints and claims were received in that House. Whenever Irishmen asked to be put upon the same footing as Englishmen they were told—"English laws do not suit you;" and that whenever they asked for special laws they were met with the argument that no distinctions of that kind ought to be set up between the two countries. At present Irish Barristers did not enjoy reciprocal rights with English Barristers. If a Board of Trade, Revenue, or other inquiry was held in Ireland, it was always English barristers who were employed by the Government or the authorities in connection with it; while, on the other hand, Irish barristers were not allowed to attend Irish cases in England, with the exception of Appeals to the House of Lords. Therefore, he maintained that there was not equal justice done to the Bars of the two countries. A similar injustice was done in the case of the winding-up of assurance. Great injustice had been done in a recent case by preventing Irish policy-holders being represented by Irish barristers and attorneys before arbitrators employed to hear the several cases, and the same observation applied to proceedings before the Railway Commissioners when Irish counsel had not been allowed to practise even in cases relating to Irish railways. The truth was there was no reciprocity in the treatment of the two Bars, but quite the reverse. Everything was claimed for England, and the Irish Bar and solicitors were left out in the cold. He did not, however, wish to abolish the distinction between the Bars of the two countries, or to confer upon them the rights or privileges which it was the aim of this legislative enactment to extend to them. He consented to put his name on the back of the Bill upon the understanding that the principle of the Bill was that a member of the Irish Bar, if by his examination and from his having attended the required number of lectures he had shown himself perfectly competent and fit for the Profession, might come over to England and practise, or *vice versâ* in the case of an English barrister. They did not demand that a man should come over to England and insist on being called. He would be admitted, of course, on the lowest round of the ladder; but he asked that proficiency in Ireland should be regarded as proficiency in England? In England the Inns of Court had control, but in Ireland there were statutable enactments which did not affect England. There was no reciprocity. Take, for instance, as an example the case of the hon. Member for Louth (Mr. Sullivan). He had just passed his examination and kept his terms, and had been called to the Irish Bar, having passed a most satisfactory and creditable examination, but coming over to England he had to turn about and commence again *de novo*. He would be extremely sorry that the Bill should go to a division, although the principle of it was one he was ready to support. He would, however, prefer if the right hon. and learned Member withdrew the Bill, and another was introduced by an English lawyer.

Sir Henry James

MR. PARNELL said, that with all respect for his right hon. and learned Friend (Sir Colman O'Loghlen), he regarded the Bill as thoroughly anti-Irish and anti-Home Rule in its scope. Remarking that, he should say, with great respect to the introducers of the Bill, it might shortly be described as for the purpose of converting Irish barristers into English barristers and Irish Judges into English Judges, and at the same time converting English barristers and Judges into Irish. Had its provision been restricted to the last operation, he should not have had so much fault to find with it, for on the principle *ipsis Hibernis Hiberniores* perhaps those Englishmen who were admitted to the Irish Bar might be converted into better Irishmen than, unfortunately, many of the present Irish barristers were. Prior to 1782, Irish barristers were a patriotic body of gentlemen, and in that year the most powerful eloquence in favour of Irish legislative independence came from the Irish Bar; and from the Cornwallis Correspondence he found that the most difficult task of Lords Cornwallis and Castlereagh was to overcome the opposition of Irish barristers to the Union. They were then so thoroughly Irish and patriotic that they enrolled themselves into a corps of Irish volunteers to resist, by force, encroachments on the liberties of the country, but unfortunately the Union occurred, and subsequently he found that their patriotism vanished away. He might mention as an example the case of Mr. Plunket, who was one of the most vehement opponents of the Union, but who, after it was carried, so far forgot—he would not say his patriotism—but so far forgot that he was an Irishman as to take the leading part in the prosecution of Robert Emmett, which led to the conviction and execution of that illustrious man. He mentioned this not to throw discredit on the memory of Lord Plunket, who afterwards served as Solicitor General and Attorney General for Ireland, but to show the necessary tendency of the Union to estrange the members of the Irish Bar from national feeling and national interests. The result was that there had sprung up in the minds of the Irish people a great distrust of that profession which under other circumstances would have been one of the most powerful upholders of their liberties. Hence since the Union they had gradually become the tools of successive English Governments, and since 1852 this had been exemplified in a remarkable manner. When, as some hon. Members might recollect, a so-called independent Party was formed in the House to advance the interest of Ireland, the Party was headed by Mr. Gavan Duffy, Mr. Lucas, Mr. Sadlier, and Mr. Keogh. But Keogh was not able to resist the bribe of a Solicitor Generalship, offered as the price of a betrayal of his cause. An Irishman of distinguished talent, he talked one doctrine to the peasantry of the West; but when the inducement of office tempted him, he forgot himself, and accepted what he declared he would never do. Similar instances of betrayal of the popular confidence followed to such an extent that it was scarcely possible for an Irish barrister to obtain a seat in the House of Commons without having previously shown that he was pure and beyond suspicion. The effect of the Bill would be to increase largely a system of place-giving in Ireland as the reward of political services. At present it had been said there was a place for every three barristers; but under the Bill that field would be enlarged to an almost unlimited extent—all the English places would be thrown open. He believed this Bill would not tend to improve the character or increase the patriotism of the Irish Bar. If there was any distinction between the English and Irish Bar it was this—that whereas in England barristers were made Judges because they excelled in their profession, in Ireland they were made Judges not because they were the best men, but because they were the best Party men, and the consequence of the passing of this Bill would be that Irish Barristers would be made Judges in England, not because they were better qualified than English Barristers, but because they had rendered some disgraceful political services to the English Government of the day. Considering these circumstances, he trusted the House would reject the Bill.

SIR WILLIAM HARCOURT protested against the unfounded attack which the hon. Member for Meath (Mr. Parnell) had made on Lord Plunket and Mr. Justice Keogh, two of the most distinguished ornaments that had adorned the judicial bench. The remarks of the

hon. Member were really not germane to the Bill. The general principle of the proposal of the right hon. and learned Member for Clare was one which met with his entire approval. It was a mistake to suppose that any professional jealousy was felt by the English Bar in connection with this subject. For his own part, he would be very anxious to support any Bill which had for its object to establish a reciprocity between the Bars of the two countries. What he understood to be desired was that qualification in Ireland should be qualification in England, and to this he, for one, offered no opposition, always assuming, as he thought they might safely assume, that a proper qualification was required before admission to the Irish Bar. The Bill, however, in its present shape went further than that, and was open to objections. He therefore hoped the second reading would not be pressed.

MR. WHEELHOUSE said, if they were to take the Bill of the right hon. and learned Gentleman the Member for Clare, as it stood, it would admit Irish barristers to come to England and, acting upon the authority provided by the measure, claim, according to their standing, precedence of the English barristers, and *vice versâ*, the English barrister might go to, and claim precedence, at the Irish Bar. Was it intended that Irish Judges should go Circuit in England and that English Judges should go Circuit in Ireland? If so, great inconvenience would necessarily arise, as the customs of the two countries were so dissimilar. There was no feeling of jealousy in the matter; and, for his own part, he would be glad if something could be done in the direction which had been indicated: but he thought it necessary, in the first place, that an entirely new Bill should be drawn up. He therefore hoped his right hon. and learned Friend would acted on the suggestions given to him and withdraw the measure.

MR. ASSHETON CROSS said, he thought they might at once sweep away all notions that there could be any professional jealousy between the English Bar and their brethren in Ireland. The right hon. and learned Member for Clare had said that his object in bringing this Bill forward was to have the question debated, and the course of the debate had clearly shown that there was not perfect agreement among the members of the Irish Bar themselves as to the particular mode in which the question should be settled. Moreover, the moment the effect of the provisions of the Bill was pointed out, it seemed to be admitted that they went a great deal too far. He might mention that although it was not a common thing or a matter of right, yet at present members of the Irish Bar might be admitted by the English Inns of Court to practise at the English Bar, and there was no reason to assume that if an application with that object was properly made, it would be rejected. It ought also to be borne in mind that at the present moment the members of the Irish Bar had the same right of access as any others to the English Bar. At the same time, he would be very glad to see arrangements come to by which the members of the two Bars would be brought more closely together than they were at present. He had listened, however, in vain to hear that this matter had ever been brought before the Benchers of the various Inns of Court, or that there had been any attempt made to get the Judges in Ireland and in England to give it their consideration. Before legislating on such a subject it seemed to him that some interchange of opinion on the part of the Judges and the Benchers was most desirable. He thought the right hon. and learned Gentleman would exercise a wise discretion if he withdrew the Bill, and in the course of the Recess sought to promote that interchange of opinion. Before sitting down he felt it to be his duty, holding, as he did, a position intimately connected with the administration of justice, to say a word in justification of the character of the Irish Judges. In his opinion, the charges which had been brought by the hon. Member for Meath against those Judges were entirely unfounded.

MR. SHAW said, this was a question in which the people of Ireland felt deep interest. He thought there might be some such improvements in the matter as suggested by the hon. Member for Kildare (Mr. Meldon), without going the full length of the Bill of the right hon. and learned Gentleman the Member for Clare. He protested strongly against facilities being given to transfer Irish barristers to England. The effect would

be that the business of Ireland would be left to second and third-class men, as all the first-rate men would be attracted to England. At the same time, he thought leading Irish barristers should be allowed to practise in England in business originating in Ireland and subsequently carried over to England. Some change might be made in that direction with great advantage. The area of practice at the Bar of Ireland was very small as compared with the area of the English Bar; and in great commercial cases, with which the Irish Bar had not much opportunity of obtaining experience, he thought it would be advantageous, when such cases came on for trial in Ireland, if English barristers, possessed of that knowledge which practice gave them, were to be called over to Ireland for the conduct of such questions. With regard to barristers becoming "patriots," he must say he never saw an Irish barrister yet who had good practice and became a patriot who did not lose his business. He hoped the Bill would be withdrawn, and some less pretentious measure introduced.

MR. PLUNKET said, he had been absent on Committee duty upstairs when the hon. Member for Meath (Mr. Parnell) spoke, and therefore could not refer to the exact words used by him; but he understood the hon. Member had made an attack of an unjust and personal nature on one whose name he had the honour to bear. He did not know that if he had heard the attack he would have condescended to reply.

MR. PARNELL: I wish, Sir, to be allowed to set myself right. Certainly, I did not intend any attack on Lord Plunket or his personal character. In fact, I expressly stated I did not mean to do so. I merely cited his case as an example of the injury the Union did to Irish interests in depriving the country of the services of men on whom reliance was placed as patriots.

MR. PLUNKET: Then on that subject he need not say more. He deemed it right, however, to refer to the imputations cast by the hon. Member for Meath, as he was informed, on Mr. Justice Keogh. Such personal attacks were frequently made in that House, without Notice, on that eminent Judge, and were wholly undeserved and unjustifiable. He would only remark that when the charges had been fairly brought up in that House for discussion and decision they had been repudiated by large majorities. However, after what the right hon. Gentleman the Home Secretary had said with reference to that subject, it was unnecessary for him, on the present occasion, to say another word. With regard to the Bill, he hoped the right hon. and learned Member for Clare would avail himself of the suggestion of the Home Secretary, and not proceed further with it at the present time.

MR. BIGGAR thought it possible that the majorities to which the hon. Member referred had been due to Party considerations, and he added that in the *bonâ fide* opinion of the people of Ireland Mr. Justice Keogh was not an impartial Judge.

MR. SPEAKER reminded the hon. Member that the character of Mr. Justice Keogh was not the Question before the House.

MR. BIGGAR said, what he wished to point out was that when Mr. Keogh's character was discussed it was decided by a Party vote.

MR. SPEAKER again reminded the hon. Member that that was not the Question before the House.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, that after the temperate speech of the right hon. and learned Gentleman who had introduced the Bill, it was much to be regretted that the hon. Member for Cavan (Mr. Biggar) had made the speech they had just listened to, as Mr. Justice Keogh's conduct had been brought forward in the House of Commons and had been fully discussed and decided upon. The hon. Member for Meath (Mr. Parnell) had not said a word which really related to the proposal which had been put forward, but had instead made an attack upon an eminent dead Irish Judge, and upon one of the most eminent Irish Judges now living.

MR. PARNELL rose to Order, wishing to know whether, after he had expressly repudiated any desire to attack that eminent dead Irishman, Lord Plunket, the right hon. and learned Gentleman was entitled—having heard what he then said—to charge him with having made such an attack?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, he would leave the character of Lord Plunket to

the history of the country; but with reference to the other distinguished person who had been named by the hon. Member for Meath and to the rest of the Irish Judges who had been alluded to, he would say that he did not think any body of men——

MR. BIGGAR submitted that the right hon. and learned Gentleman was not in Order in discussing the character of the Irish Judges.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) had only meant to say that he did not think it necessary to say a single word in defence of those eminent men, as their character was well known both in that House and elsewhere. The hon. Member for Meath in his remarks had made sweeping charges on the character of the Irish Bar; but he seemed to forget the great names that were connected with the history of the Irish Parliament. O'Connell himself was an Irish barrister, and the leader of the Party to which, he believed, the hon. Member belonged, was one of the most distinguished members of the Irish Bar. If the hon. Member had borne these and similar facts in mind, perhaps he would not have felt called upon to make the extraordinary observations he had made with reference to the Bar of Ireland. In conclusion, he would only express the hope that the right hon. and learned Gentleman the Member for Clare would accept the suggestions of his right hon. Friend the Home Secretary, and withdraw the Bill.

SIR COLMAN O'LOGHLEN regretted that any such discussion as that they had just listened to had arisen, and he concurred in the observations of the right hon. and learned Attorney General. He was willing to agree to the suggestion of the right hon. Gentleman the Home Secretary that the matter should be left to mutual communications between the Benchers in Ireland and England. He would therefore withdraw the Bill.

Motion, by leave, *withdrawn:* Bill *withdrawn.*

VOTERS (IRELAND) BILL—[BILL 82.]
(*Mr. Butt, Mr. M. Brooks, Mr. Sullivan.*)
SECOND READING.

Order for Second Reading read.

MR. BIGGAR, in moving that the Bill be now read a second time, said, the object of it was, with reference to persons who were really entitled to the franchise, to prevent their being disqualified owing to their names not having been duly inserted in the rate book.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Biggar.*)

MR. MULHOLLAND, in moving that the Bill be read a second time that day six months, said, the Bill had come before the House in various forms and under various designations, such as a Town Rating Bill, a Borough Franchise Bill, and now as a Voters Bill. It had always been rejected. He contended that the Bill, instead of its being in reality a measure to prevent the disqualification of voters in Ireland who were now entitled to the franchise, owing to their names not being inserted in the rate book, was rather a proposal by which persons who were not entitled to the franchise would have their names so registered. He pointed out also that if the name of a voter were improperly omitted from the rate book, he might put in a claim which it had been decided would put him just in the same position as he would have been if his name had been inserted. The direct payment of rates was entirely ignored by the Bill. That was a damaging position. The Bill did not put the legitimate voter in a better position, and it proposed no remedy for the accidental omission of names from the rate book. The Preamble of the Bill was untrue, and its provisions were dangerous.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words, "upon this day six months."—(*Mr. Mulholland.*)

SIR JOSEPH M'KENNA supported the Bill. He thought a more unfair reading of a Bill than that of the hon. Gentleman opposite (Mr. Mulholland) could not be imagined. The object of the measure was simply an attempt to assimilate the law in Ireland to that which prevailed in England with respect to conditions under which persons in Ireland should be entitled to the exercise of the franchise. There was no ground for saying that its operation would be to put the name of a single voter on the rate book who was not really

entitled to have it placed there in case of an assimilation of the law for both countries. He hoped the Bill would be accepted by the House.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 99; Noes 125: Majority 26.—(Div. List, No. 118.)

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

MARRIAGE PRELIMINARIES (SCOTLAND) BILL.

On Motion of Dr. CAMERON, Bill to encourage Regular Marriages in Scotland, *ordered* to be brought in by Dr. CAMERON, Mr. BAXTER, Mr. M'LAREN, Mr. ERNEST NOEL, and Mr. EDWARD JENKINS.

Bill *presented*, and read the first time. [Bill 161.]

House adjourned at five minutes before Six o'clock.

HOUSE OF COMMONS,

Thursday, 10th May, 1877.

MINUTES.]—SELECT COMMITTEE—Parliamentary and Municipal Elections (Hours of Polling), *nominated*.

PUBLIC BILLS — *Ordered* — *First Reading* — Canal Boats * [162]; Parliamentary Elections and Corrupt Practices * [163].

Second Reading—Local Government (Gas) Provisional Orders (Penrith, &c.) * [156].

Committee—Report—Norfolk and Suffolk Fisheries (*re-comm.*) * [158].

Withdrawn—Dock Warrants * [94].

QUESTIONS.

INTEMPERANCE (SWEDEN)—MR. ERSKINE'S REPORT.

QUESTION.

SIR ROBERT ANSTRUTHER asked the Under Secretary of State for the Home Department, Whether his attention has been drawn to the inaccuracy of the information conveyed to the Foreign Office by a letter of Mr. Erskine to Lord Derby, dated 28th August 1876, and ordered to be printed by the House on April 7th, 1877, in which he refers to the language of the Report of the Committee of the Municipality at Stockholm as stating that "intemperance (at Gothenburg), with all its bad consequences, has not diminished;" whether he is aware that Mr. Erskine has written to the Foreign Office, since the 13th March 1877, explaining that the figures in Annex B, inclosed in a letter from Consul Duff, dated February 22nd, 1877, and quoted by the Under Secretary in the Debate of the 13th of March 1877, are inaccurate, and not to be relied on without explanation; whether he is aware of the great discrepancy between the statement in Inclosure No. 1 of Mr. Erskine's letter, and that of Consul Duff in Annex B, regarding the amount of spirits sold in the year ending 1st October 1875; and, whether he would object to lay upon the Table of the House any further correspondence that has been received from Sweden upon this subject, including a translation of the Report of the Committee of the Municipality of Stockholm?

SIR HENRY SELWIN-IBBETSON: My attention has been called to the inaccuracy in the letter of Mr. Erskine to Lord Derby, in which, from carelessness, the words "at Gothenburg" seem to have been inserted instead of "at Stockholm." I see by the First Report from the Select Committee of the House of Lords on Intemperance, in which the letter is quoted, the error has been corrected in a marginal note. And I will have the Papers before this House reprinted with a similar correction. I am aware that a letter dated March 24, which I have only seen since I had notice of the Question, has been received from Mr. Erskine, inclosing a letter from Mr. Rubenson, in which the inaccuracy of the figures in Mr. Duff's letter which I quoted to the House is pointed out, the correction being that while that letter seemed to imply a steady increase in consumption and profits from 1866 to 1875, the important fact had been omitted that the company only gradually came into possession of the trade, and that in the earlier years the private establishments, whose returns were not included, had sold very largely. There is certainly great discrepancy between Mr. Erskine's letter

and Consul Duff's as to the amount of spirits sold in 1875; but the calculations of the Committee of the Municipality of Stockholm give figures differing from either, and I am quite unable to reconcile these conflicting statements. I will, when reprinting the former Papers corrected, lay upon the Table of the House the further correspondence and the translation asked for by the hon. Baronet of the Report of the Committee of the Municipality of Stockholm.

AFRICA (WEST COAST)—THE GAMBIA—CHIEF MAGISTRATE AT BATHURST.

QUESTION.

MR. HOPWOOD asked the Under Secretary of State for the Colonies, Whether the Secretary of State has received a memorial from the merchants, traders, and inhabitants of the British settlements on the River Gambia praying his Lordship to appoint to the office of chief magistrate at Bathurst

"a gentleman who has been educated and trained to the legal profession, and is a member of one of the Inns of Court of the United Kingdom;"

whether the chief magistrate is not required to act both as judge of assize and sole judge in all civil and Admiralty causes; and, whether a gentleman has been since appointed to this office who is neither a member of the Bar of the United Kingdom nor has received any kind of legal education?

MR. J. LOWTHER: The facts are substantially as stated by the hon. Member. The gentleman to whom he refers, and who is considered fully qualified for his present position, was appointed previous to the receipt of the memorial by the Secretary of State; but I ought to mention that although not a member of the legal profession he has had considerable judicial experience, having been upwards of 20 years in the Colonial service, and during the last 12 years has held an important legal post in another Colony. After the recent discussion in this House on the subject of the financial position of the Gambia, the hon. Gentleman will not be surprised at my adding that we are not prepared to embark upon any course involving an increase of expenditure.

ROAD LOCOMOTIVES—REPORT OF COMMITTEE, 1873—LEGISLATION.

QUESTION.

MR. WHITBREAD asked the President of the Local Government Board, Whether the Government intend to take any steps during the present Session to carry out the recommendations of the Committee on Road Locomotives in 1873, to which reference has also been made in the evidence given before the Committee on Tramways in the present Session?

MR. SCLATER-BOOTH, in reply, said, the Government had intended to deal with some part of the recommendations of the Select Committee of 1863, and he had caused a draft Bill to be prepared consolidating and amending the two Statutes, one of which was an expiring law, regulating the use of locomotives on roads. The intention had been that the Bill should follow the Highways Bill; but the state of the Government business at present was not such as would justify him in bringing forward that measure. There would have been no allusion in the Bill to the subject-matter of the inquiry recently undertaken by the Select Committee to which the hon. Member referred; but in the preparation of any future legislation their recommendations would have to be considered.

CRIMINAL LAW—MANCHESTER MAGISTRATES — CASE OF THE REV. FATHER JACKSON.—QUESTIONS.

MR. CALLAN asked the Secretary of State for the Home Department, in reference to the arrest of the Reverend Father Jackson by the Manchester police on the night of the 30th December last, If he is now in a position to state whether it is true that, on the conclusion of the evidence in the police court, Mr. Alderman Murray, J.P., stated from the bench "that, as a magistrate, he had a right to act as he did, and would do the same again;" whether, in view of this declaration, the Lord Chancellor deems it right to continue this individual in the commission of the peace; whether Inspector Shandly, who had been formally applied to by Dr. Noble to obtain from the committing Magistrate a written permission to see the Reverend Father Jackson, and who afterwards made in-

quiries at the Presbytery about the case, and interfered in no other way, has been practically forced by the police authorities of Manchester to send in his resignation, after thirty years' service; whether the authorities there, on Sunday December 31, 1876, refused to the Catholic Magistrate, and to the Most Reverend Dr. Vaughan, Bishop of Salford, to accept bail for the appearance of the Reverend Father Jackson the following day; and, whether, considering all the circumstances of the case, he will order an inquiry on oath by an impartial and independent tribunal into the entire matter?

MR. ASSHETON CROSS, in reply, said, that he might say at the outset that, so far as he then knew, the Rev. Father Jackson must be considered to be entirely free from any imputation that had been cast upon him. He had made inquiries about Inspector Shandly, and the authorities absolutely denied that he had been dismissed the force, or that he had been pressed to resign. He could not understand why bail had been refused for the appearance of the Rev. Father Jackson, and he believed it was true that Mr. Alderman Murray, J.P., did say "that, as a magistrate, he had a right to act as he did, and would do the same again:" but he did not consider that an independent inquiry was necessary pending the trial of the indictments for perjury which would be held at the Summer Assizes. If the solicitors for the prosecution would communicate with the Solicitor to the Treasury or with the Home Office every assistance in the carrying on of the prosecution would be afforded him.

MR. JENKINS inquired whether there was any reason of a public nature for undertaking this prosecution?

MR. ASSHETON CROSS: What I said was that if the solicitor for the prosecution would put himself in communication with either the Home Office or the Solicitor to the Treasury, we would render him every assistance in our power in carrying on the prosecution.

POST OFFICE—POST OFFICE, BEDFORD. QUESTION.

MR. REPTON asked the Postmaster General, If any arrangement has been made for improving the management of the Post Office at Bedford?

LORD JOHN MANNERS: Yes, Sir. The office will be placed in charge of a proper officer previous to filling the vacancy which has occurred.

IRELAND—LOCAL COURTS OF ADMIRALTY.—QUESTION.

MR. M'CARTHY DOWNING asked Mr. Attorney General for Ireland, Whether the Rules and Orders of the Local Courts of Admiralty in Ireland have been finally approved of; and, if so, why the Act of 1876 has not been brought into operation, and when it may be?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON): The Lord Chancellor of Ireland has framed the Rules for the local Courts of Admiralty, and they are now before the Treasury for the consideration of financial matters. I trust that they will very soon be finally approved of.

RUSSIA AND TURKEY—THE WAR—THE BLACK SEA—QUESTION.

MR. D. JENKINS asked the Under Secretary of State for Foreign Affairs, Whether, seeing that hostilities have broken out between Russia and Turkey, Her Majesty's Government has obtained the consent of the Porte to sending a sufficient naval force into the Black Sea, in addition to the two gunboats in the Danube, for the protection of the important British interests at stake in those waters; and if any vessels have been already despatched for this purpose; and, whether Her Majesty's Government can state if the Porte is in possession of a sufficient naval force along the Russian coasts of the Black Sea to render effective the blockade proclaimed in the Circular of the Turkish Minister for Foreign Affairs, dated Constantinople, May 3rd?

MR. BOURKE: In reply to the hon. Member, I have to state that no steps have been taken by Her Majesty's Government to send a naval force into the Black Sea. Her Majesty's Government are of opinion that, were they to send a naval force to the Black Sea, such an act might be subject to much misrepresentation, and might lead to serious results. Therefore, they do not mean to send a greater force than now exists there—namely, the two gunboats which

are entitled to be there under the Treaty of Paris and under the Danubian Commission; and also the despatch boats, which are at the disposal of the Embassy at Constantinople. With regard to the last part of the Question of the hon. Member, no information has reached Her Majesty's Government on that subject, and no representation has been made to the Government as to the insufficiency of the Turkish Fleet in the Black Sea to constitute an efficient blockade.

CONTAGIOUS DISEASES (ANIMALS) ACT (1869)—THE CATTLE PLAGUE (METROPOLIS).—QUESTION.

MR. PAGET asked the Vice President of the Council, Whether in view of section 47 of "The Contagious Diseases (Animals) Act, 1869," a local authority is legally entitled to make rules restricting the movement of stock within the limits of an infected place, or otherwise dealing with animals in an infected place; and, if not, if he will procure the issue of a general Order of Council to apply to all infected places in a manner similar to that laid down in Order of Council of 12th and 27th April 1877, dealing exclusively with the Metropolis?

VISCOUNT SANDON: The Contagious Diseases (Animals) Act, 1869, gives the Privy Council special powers of making rules for infected places in the Metropolis, and the Orders of the 12th and 27th of April, 1877, were made in part by virtue of those special Orders. These Orders could not be extended to the country generally; but, under the Cattle Plague Order of 1877, local authorities can prohibit the movement of cattle in their district, and this would enable them to make rules respecting the movement of stock within the limits of an infected place. I trust, therefore, this information will fully meet my hon. Friend's Question, which is certainly one of considerable importance. The Veterinary Department is not prepared at present to make any alteration in the mode of disinfecting loading pens, trucks, and vans, as prescribed under Article 18 of the Animal Order, 1875. I think it right to inform my hon. Friend that the whole question of disinfection, which is one of great importance, is now under consideration.

PUBLIC HEALTH ACT, 1875—NUISANCES.—QUESTION.

MR. A. MILLS asked the President of the Local Government Board, Whether, having regard to the terms of "The Public Health Act, 1875," section 91, it is necessary, when summary proceedings against a nuisance are taken, to show that the nuisance complained of is injurious to health?

MR. SCLATER-BOOTH: By the 91st and following sections of the Public Health Act, 1875, a summary remedy is provided supplementary to the proceedings against a nuisance which may be instituted at Common Law or in Equity, but although the disjunctive word "or" is used in the section—namely, "a nuisance or injurious to health"—the Court have held that looking to the whole scope of the Sanitary Acts, some injury to health must in all cases be proved. It was proposed by the hon. Gentleman when the Public Health Act of 1875 was passing through Parliament to make the disjunctive proposition stronger by prefixing the word "either" to "nuisance," so that the sentence would have run, "either a nuisance or injurious to health," &c.; but the highest legal authorities were of opinion that the same construction as before would, nevertheless, be adopted by the Courts. I am glad to say that the whole subject of noxious trades and vapours is now under the consideration of a Royal Commission, who will probably report within the present Session of Parliament.

RUSSIA AND TURKEY—THE WAR—THE DANUBE AND THE BLACK SEA.—QUESTION.

MR. GOURLEY asked the Under Secretary of State for Foreign Affairs, If he has ascertained the opinion of the Law Officers of the Crown relative to the seizure and destruction by the Turks of a British corn-laden lighter on the Upper Danube, which was there prior to the Proclamation of the Turkish authorities on the 1st May; and, whether he has received official notification of an extension of the time allowed for the departure of British vessels from Russian Black Sea ports?

MR. BOURKE: The opinion of the Law Officers of the Crown, with regard to the destruction of a British lighter

on the Upper Danube, has not yet been received by Her Majesty's Government. In reply to the second Question, I have to state that the Porte has consented, at the request of Her Majesty's Government, to grant seven additional days of grace, which would enable neutral vessels to enter Russian ports in the Black Sea up to the 15th and leave them up to the 17th. Her Majesty's Ambassador at Constantinople has been instructed to inquire whether some additional extension of the time can be allowed, so that the days of grace might count from the date on which a vessel entered the Black Sea.

ARMY—ENGLISH OFFICERS AT TURKISH HEAD-QUARTERS.—QUESTION.

SIR HENRY HAVELOCK asked the Secretary of State for War, Whether it is a fact that Colonel Lennox, of the Royal Engineers, is now at Rustchuk on the Danube, at the head-quarters of the Turkish Army, together with two younger British officers on full pay; whether it is the case, as stated by a correspondent of a London paper, writing from Rustchuk on the 1st instant, that these British officers "daily visit the Turkish fortifications; that they assist the Turkish commander by their advice; and that, with their help, a sharp resistance may be anticipated;" and, whether any instructions have been or, if not, will be issued to these officers to confine themselves to that strict neutrality enjoined in Her Majesty's recent Proclamation, neither giving advice nor expressing any professional opinion to the Turks on the struggle now in progress?

MR. GATHORNE HARDY: Colonel Lennox, of the Royal Engineers, is Military Attaché at Constantinople, and at the time of the declaration of war he was in the Danubian Provinces in company with another young officer. He has since that time, as Military Attaché, received permission to attend at the head-quarters of the Turkish Army. He knows perfectly well the duties which belong to his position, and he himself, as he has said, presumed he was on the general footing of Military Attachés—on the same footing as General Walker, who was attached to the German Army during the Franco-German War. Therefore, it is unnecessary to send any special instructions to Colonel Lennox.

INDIA—LUCKNOW PRIZE MONEY.

QUESTION.

COLONEL BERESFORD asked the Under Secretary of State for India, Why the remainder of the prize money, part of which was paid on account in 1862, for the finding of the Begum Kotee treasure at Lucknow during the Indian Mutiny is so long withheld from those entitled to it; and when the same will be paid?

LORD GEORGE HAMILTON, in reply, said, no money had been withheld from any persons who were entitled to it. The facts concerning this treasure were that certain soldiers whilst quartered at Lucknow discovered certain valuable articles, which, in the opinion of those most competent to judge, were not in the nature of prize money but were treasure trove; and the finders were given 25 per cent of their value. No further claims could, therefore, be entertained. The Correspondence on the subject was presented to Parliament in May, 1876.

THE SUGAR CONVENTION.

QUESTION.

MR. WAIT asked the Under Secretary of State for Foreign Affairs, Whether it is true that proposals have been made by France or any other of the contracting Governments for an extension of the time during which the Convention on the subject of Bounties on Sugar would have to be ratified; and, whether Her Majesty's Government are willing to ratify it; and what steps, if any, have been taken to induce the contracting Governments to obtain legislative sanction to the Convention, and to proceed with as much despatch as possible to final ratification?

MR. BOURKE: In reply to my hon. Friend, I have to state that no application has been made by any of the contracting parties for an extension of the time for the ratification of the Convention as regards sugar bounties; but, at the same time, the Netherlands Government have said that it was impossible for them to carry out the arrangements under the Convention with regard to beet-root sugar in the time mentioned in

the Convention. Therefore, they have applied to the other Powers to obtain an extension of the time in order that those arrangements might be carried out—that extension of time not exceeding one year. Her Majesty's Government are perfectly prepared to ratify the Convention, and they are using their best endeavours to obtain a ratification of it by the other Governments.

CONTAGIOUS DISEASES (ANIMALS) ACT, 1869—CATTLE PLAGUE AT HULL. QUESTION.

COLONEL KINGSCOTE asked the Vice President of the Council, If it is true that a further outbreak of Cattle Plague has taken place at Hull; and, if so, whether the Privy Council would not supersede the orders of the local authority at that place as they had done in the Metropolitan and county of Middlesex districts?

VISCOUNT SANDON: I am sorry to say the hon. and gallant Gentleman is correct in supposing that a case of cattle plague has occurred at Hull. Only one animal out of five in the same shed was attacked, and the whole were slaughtered at once. The Inspector reported that the symptoms during life seemed doubtful; but he was satisfied by the result of the *post-mortem* examination that it was a case of true cattle plague. There had been no previous outbreak of cattle plague in Hull since the 22nd of March. The local authorities are making a fresh survey of all the dairies in the town, and no animal is allowed to leave any cow-shed without a pass from the Veterinary Inspector. As the Government believe that the local authorities are doing everything that is possible and necessary under the present circumstances, it is not proposed to interfere with their jurisdiction.

ORDERS OF THE DAY.

THE EASTERN QUESTION—RESOLUTIONS (MR. GLADSTONE).

ADJOURNED DEBATE. [THIRD NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [7th May],

"That this House finds just cause of dissatisfaction and complaint in the conduct of the Ottoman Porte with regard to the Despatch written by the Earl of Derby on the 21st day of September 1876, and relating to the massacres in Bulgaria."—(*Mr. Gladstone.*)

And which Amendment was,

To leave out from the word "House" to the end of the Question, in order to add the words "declines to entertain any Resolutions which may embarrass Her Majesty's Government in the maintenance of peace and in the protection of British interests, without indicating any alternative line of policy,"—(*Sir Henry Wolff.*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. COURTNEY regretted the absence, through indisposition, of the hon. Member for Sheffield (Mr. Mundella), by whom the debate was to have been resumed. On Monday night, when hon. Members came down to that House to hear the speech of the right hon. Member for Greenwich in support of his Resolutions, they found that the order of the proposed proceedings had been entirely changed. He had on that occasion expressed his apprehensions of the consequences of that change and regret that it had been made, and what had since occurred had tended to confirm those apprehensions and that regret. What was the position of himself and of those who thought with him at that time? The question which was now occupying the attention of the House had agitated the country for many months, and yet it was one upon which the House of Commons had not as yet expressed any definite opinion. The right hon. Gentleman the Member for Greenwich at length, in compliance with the expressed wishes of the mass of the people, asked the House to give its adhesion to a particular policy. The hope excited in the minds of hon. Members who approved the policy indicated by the right hon. Gentleman's Resolutions was shared by a proportion of the people out-of-doors—he would not say what proportion, but it was a large proportion—who had hastened to testify their approbation of what the right hon. Gentleman had undertaken to do. Numberless meetings were held in support of these Resolutions, and Petitions adopted in their favour. Therefore, when those hon. Members came down on Monday night

and found that the right hon. Gentleman was not about to invite the attention of the House to the policy embodied in his third and fourth Resolutions, they received the intelligence with feelings of consternation and bewilderment. How did matters then stand? By the withdrawal of the third and fourth Resolutions, only two propositions were left for discussion by that House. The first of those propositions was that the House had just cause for dissatisfaction and complaint in the conduct of the Ottoman Porte with regard to the despatch written by the Earl of Derby on the 21st of September, and relating to the massacres in Bulgaria. Every hon. Member in that House must be of that opinion, and, indeed, no persons could be more dissatisfied with the action of the Porte in connection with that despatch than the Colleagues of the noble Lord at the head of the Foreign Office. He believed, however, that since the debate had been commenced, one voice—that of the right hon. Member for the University of London (Mr. Lowe)—had been raised in opposition to that proposition, inasmuch as he objected to the despatch having been written at all, believing that the Foreign Secretary had strayed from the path of discretion and had deviated from the impartiality he ought to have preserved in addressing this despatch to the Turkish Government. He was not quite sure he interpreted the meaning of the right hon. Gentleman aright; but, subject to this exception, he believed that all hon. Members were agreed in approving the proposition submitted to them in the first Resolution. The second proposition in its amended form was that the Turkish Government, by its treatment of its subject populations, must be deemed to have lost all claim to receive either the material or the moral support of the British Crown. He preferred the Amendment to the original form; but it must be observed that the cardinal word of both was the word "claim." The Turkish Government was declared to have lost all "claim" upon our aid. He believed that no one would disagree from that proposition. Her Majesty's Government must agree with it, because if the Turkish Government had not, by its conduct, forfeited all claim to our material and moral support, we should be at war on behalf of Turkey at the present moment, and certainly hon. Members on his side of the House must heartily approve it. Even those on the other side, who were strongest in their feelings of opposition to Russia, and might hereafter call for action against Russia, based their position upon no supposed claims of Turkey, but on what they conceived to be our interests. There was, therefore, no ground upon which the propositions as they stood could be discussed; and, indeed, the hon. and gallant Member for Berkshire (Colonel Loyd Lindsay) had proposed to stop all discussion upon the subject by suggesting that the House should immediately give its adherence to them. That was the result of the arrangement that had been come to, and it was said that the unanimity of the Liberal Party had been gained by it. No one could be more deeply desirous for the unanimity of the Liberal Party than he was, but the term unanimity expressed the idea of persons being of one mind, and therefore that there should be a mind; but he had failed to discover evidences of mind in the agreement that had been arrived at. The Liberal Party might now have one voice, but it was not a voice expressing one will or one policy, or even one opinion. The Liberal Party were, in fact, reduced very much to what Her Majesty's Government had reduced the European concert to. The latter was a very valuable thing, but in the hands of Her Majesty's Government it never did anything it was wanted to do, and it appeared that it could only be maintained as long as it dealt in empty professions. The present position of the Liberal Party, resembling too faithfully the European concert, was that of the chorus in a Greek play, which strikes in with moral sentiments every now and then, without affecting in any way the action of the play, but appeals to Heaven and exclaims—"How very unjust, how very wrong, how very injudicious on the part of a people hastening blindly to their ruin." What had happened in this matter made scoffers rejoice and discouraged those who were faithful. He appealed, therefore, to hon. Members whether the apprehensions he had felt had not been realized. It had been said that they had had a magnificent speech from the right hon. Member for Greenwich. No one could admire the argument of that speech or

could have been moved by its eloquence more than himself, but they would still have had that speech, even if the third and fourth Resolutions had not been withdrawn; but now they had lost the crown and purpose of that speech, and the very reason for which the speech was made had been withdrawn, while they were not permitted to express any opinion upon the policy which it advocated. If the third and fourth Resolutions had not been withdrawn there would have been a debate which would have instructed the House and the country. The speeches which had been delivered in this debate had, however, not turned upon the question of policy, but upon the conduct of Her Majesty's Government. Had the Resolutions been maintained, the right hon. Gentlemen on the front Opposition bench, who had spoken on Tuesday, must have addressed themselves to the policy of the Resolutions, instead of which they had indulged in a weary round of aimless criticism. The country was left without a Leader as much as ever. He should be sorry to use language which could be regarded as a reproach to the right hon. Gentleman the Member for Greenwich. He had no feeling of that kind towards him. He was sure the reasons which had induced the right hon. Gentleman to withdraw the third and fourth Resolutions were of a most noble character. But he regarded the course adopted by the right hon. Gentleman as a great error of judgment, which must be deplored in the interests of this country and of the cause which the right hon. Gentleman himself had at heart. In order to appreciate the effect of what had been done, he (Mr. Courtney) invited the House to go back. Let them consider the time of Sir Robert Peel, when the division of Parties in that House was much the same as it was now. At that time there was one great question—that of the repeal of the Corn Laws—which occupied the attention of the country, and there was then, as now, a great division of opinion on the Opposition benches. A total and immediate repeal of the Corn Laws was demanded by the right hon. Member for Birmingham (Mr. Bright), by Mr. Cobden, and by the right hon. Member for Wolverhampton (Mr. C. P. Villiers.) The noble Lord the Leader of the Opposition (Lord John Russell) went about murmuring that it would be much wiser to demand an 8*s.* fixed duty. Suppose the champion of Corn Law repeal had put on the Table of the House a Resolution for an immediate repeal of the Corn Laws; suppose that meetings had been held throughout the country in support of that movement, that Members came to the House to support it, but that at the last moment the Resolution had been changed into a proposal that the sliding scale ought to be modified—what would have been the consternation, what would have been the indignation, of the right hon. Gentleman the Member for Birmingham? He (Mr. Courtney) hoped before he sat down to recall the House in some degree to the question of policy. The hon. Gentleman the Member for Christchurch (Sir H. Drummond Wolff) had proposed with reference to the first Resolution an Amendment to the effect that the House declined to entertain any Motion which would embarrass Her Majesty's Government without indicating an alternative line of policy. He (Mr. Courtney) felt there was considerable justice in that position. The Home Secretary said on Monday this was a critical question, and that no Member had ventured to recommend coercion. In the most unequivocal manner, he (Mr. Courtney) was prepared to recommend the employment of force. One policy was that of maintaining unaltered the *status quo* of the Ottoman Empire. There was another policy—namely, that of assisting as much as possible in its gradual dismemberment. He ventured to say that the policy of wisdom was that policy which recommended dismemberment. He advocated dismemberment, in the first place, because, although it did not depend on us at all whether the Ottoman Empire should be dismembered, it did depend upon us whether it should be dismembered one way or another. This was not a new question. It was 300 or 400 years old. It was 200 years at least since the Ottoman Empire began to decline. One by one Provinces had been taken from it, and a great improvement had resulted in the condition of Europe as well as in the condition of those Provinces. At one time great part of Hungary was under the dominion of the Ottoman Empire, and the change that had since occurred in the condition of that part of Hungary was such as would occur in Bulgaria when it ceased

to be an Ottoman Province. The change that would occur in respect of the equilibrium of Europe was equally clear. That equilibrium was threatened by the strenuous efforts to keep together the parts of this machine which had in themselves no gravitation one to another. Every five or 10 years an attempt was made, which somehow or other was put down, to break off a Province here or a Province there. If, instead of adhering to the old notion of keeping these Provinces together, we directed our energy to promoting a dismemberment of this Empire, we should find the task before us, he believed, easy and safe. In the conduct of these negotiations the policy of Her Majesty's Government from the beginning had been that of keeping back the other Powers of Europe from acting. One Government might have been said to be unwilling to go forward; but even that Government was always more anxious for action than ourselves, because it was placed nearer to Turkey and was better informed about its condition than ourselves—he meant the Government of Austro-Hungary. Twelve months ago the immediate question might have been easily solved by cutting off Bosnia and Herzegovina from the Ottoman Empire, to which they were attached by a very narrow neck of land. The dimensions of the problem had since grown, and if we were wise we should hasten to settle it before it became indefinitely extended. The solution of the question rested primarily with us and Germany, and it might have been altogether settled by the joint action of those two Powers, if our Government had made a communication to Prince Bismarck; but not such a communication as Lord Derby had made, beseeching the German Chancellor to interfere and bring his influence to bear on the Czar to stop the development of Slav nationality. That appeal showed an utter want of appreciation of the question, because Prince Bismarck well knew that the greatest force at work in the present century was the principle of nationality, as was exemplified in the re-construction of the German Empire itself. An appeal, therefore, to Prince Bismarck in order to repress the nationality of the Slavs, was like appealing to a man to commit an act of suicide, and it was impossible that it should have met with any other response than the one it received. But if they had gone to the German Chancellor and said that the question affected Germany more intimately than it did England, connected as it was with the navigation of the Danube and the advance of Russia in Eastern Europe; asking him whether, in conjunction with Austria, they could not meet the Czar half way, and propose that these outlying Provinces of Turkey should receive a form of government that would be tolerable to their population, the strife might have been arrested at that stage. If that had been done, Prince Bismarck would have acceded to the proposal, they would have made another step in advance towards the dismemberment of the Ottoman Empire, and they would have averted this terrible war. The Vice President of the Council, the other night, referring to the distinction between moral and material coercion, appeared to be unaware that that distinction had been drawn by Lord Derby in a despatch in which he said that Turkey must not rely on receiving more than our moral support.

VISCOUNT SANDON said, he had not alluded to any distinction between moral and material coercion, but to the distinction between the moral retention of certain Resolutions and their material withdrawal.

MR. COURTNEY said, that did not in the least affect the gist of his argument. Of course, in proposing a policy of that kind they had the possibility of war in the background. That was the *ultima ratio regum*, the sanction by which it was supported. If they proposed a partial dismemberment of the Ottoman Empire, they might, should Turkey not agree to their terms, have to make her accept them. But what then? They would have Russia, Germany, and Austria with them. On the sea, what was the Turkish Fleet without the help of Englishmen? That fleet was commanded by an Englishman; there was not a single iron-clad in it which did not depend for its navigation on English engineers, and if war broke out between England and Turkey the consequence would be that the whole Ottoman Fleet would be reduced to inaction, unless the Englishmen on board consented to forego their nationality; otherwise they would be liable to be treated as rebels to their own Sovereign. That would at once destroy the power of the Turkish Fleet;

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so that, although the name of war was in the background, it would really be only a nominal coercion. The case would be like that of a "rough" with half-a-dozen policemen round him, who told him that if he resisted they were afraid they would have to use their truncheons against him. The fear of war was no more serious than that. He was astonished at the strange contrast presented between the fear shown in that case and the rashness evinced in another transaction which they had all heard of within the last few days. The Government had just annexed an independent Republic in South Africa—an act which involved more risks than the proposal which he had described. It might be said that annexation in South Africa would involve no risk; but to that he would answer—"Wait till the end." As far as he could see, that act, without any justification of policy or of principle, exposed this country to greater peril of serious war than the suggestion he had made for settling that question. But if they were going to break off those Provinces from the Turkish Empire, they must have some assurance that it would be possible to set up an improved form of government in them. The noble Lord the Vice President of the Council asked—"How is it possible that free England and unfree Russia should work together to establish any form of government that would suit both?" The answer to that was, that the thing had been done. How did it happen that free England and unfree Russia were the great motive-power which set up free Servia, free Roumania, and which also worked together to set up free Greece? It might be said that in all three cases the Governments so set up were imperfect. He admitted it, but they were all free; and as there was no difficulty in those instances in such a form of government being set up by the joint action of those two Powers, neither would there be any difficulty in setting it up in Herzegovina and Bosnia. The Government of free Greece was a living, active, and trustworthy Government; and even in the Lebanon a local autonomy had also been established. In fact, the policy of Mr. Canning was the true policy to follow—not, indeed, in all its original details, but with the corrections suggested by subsequent experience, and adapted to the varying circumstances of the problem. That, he was sure, was a policy of peace, a policy of honour, and a policy of economy. The House would perceive that he was not regarding that great question from a Party point of view. Probably as many hon. Members sitting on his own side dissented from what he had said as sat on the opposite benches. But he might add that he was not expressing convictions which had resulted from any Bulgarian horrors. Those convictions he had adopted when still young—in fact, during the Crimean War—a war which he regarded as an act of great unwisdom; and the experience of every year that had since gone by had only confirmed, strengthened, and deepened them. He might, therefore, claim to speak with some independence on that matter, especially when he vindicated the right hon. Member for Greenwich from the accusation brought against him, that he now propounded a great and comprehensive policy on that question, although he never when in power gave a hint that he had any desire to pursue it. Such a charge could only be advanced by those who did not understand the conditions of political life. People out-of-doors might catch it up; it was incredible that any one engaged in public life could seriously urge it. No one in that House would advance it who knew the difficulties under which Ministers of the Crown laboured and the burden of the duties which were cast upon them, or how little choice they really had in suggesting new enterprizes. The work of the First Minister of the Crown of England was so vast that he could scarcely understand how any man could achieve it. And when the right hon. Member for Greenwich was engaged during his Administration in enterprizes so gigantic that hon. Gentlemen opposite denounced them beforehand as problems which could not be solved, as works which amounted to a revolution, as something more disastrous than the invasion of a foreign army, how was it to be expected that he should also, at the same time, have undertaken a comprehensive scheme for the settlement of the Eastern Question? It might be said—"The Ottoman Empire is falling to pieces of itself. Why should England interfere?" The answer to that was, in the first place, that we had a general responsibility in the matter as one of the Great Powers;

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and, in the second place, that in 1854 we did a grievous wrong to the subject races of the Porte which it was our duty to repair. How stood the case before the Crimean War? By the Treaty of Kainardji the Porte promised to protect the Christian religion and its churches, and to permit the erection of a church at Constantinople. That was a promise made to the Czar. Now, it was one of the simplest axioms of jurisprudence that if a promise was made to some person for a valuable consideration, that person had a right to exact its performance. Under the Treaty of Kainardji, therefore, the Czar had a right to require the Porte to protect the Christian religion and its churches. He was sure if hon. Members would for one moment free their minds from the confusion and excitement attendant upon the Eastern Question, they would admit the justice of that assertion. If in the course of the last century, at the conclusion of our war with Spain, we had exacted from His Most Catholic Majesty a promise to extend toleration to all Protestants in that country, and to permit the erection of a Protestant Church in Madrid, should we have been content with the non-fulfilment of that engagement? That was a parallel case, and he commended it to the attention of those who denied the right of the Czar before the Crimean War to interfere for the protection of the Christian races of the Ottoman Empire. Well, the Crimean War abolished that Treaty and put nothing in its place. It was one of the most wonderful examples of the portentious illusions generated by that war that the united Powers of Europe thought the Sultan might be trusted, of his own grace and love of justice, to afford that freedom and protection to the Christian Church which he had failed to give under a solemn promise. England absolutely declared she had nothing to do with the relations between the Sultan and his subjects. The Sultan issued a Firman which accorded certain privileges, but which gave no rights, and so it came to pass that the promise given under the Treaty of Kainardji was abolished and nothing substituted for it. That, in his opinion, was one of the greatest international crimes ever committed. It left millions of Greek Christians under the dominion of the Sultan absolutely stripped of the protection which they had previously enjoyed; if the risk were greater than it if the labour were greater than it he would say, let the power of Eng be exerted to undo the wrong which then unwittingly done. It migh asked, even, if these aims were and these propositions sound, how c we possibly enter into co-operation Russia? How could we be so del as to suppose that Russia was anim by any sincere desire to protect c give protection to those oppressed jects of the Sultan? ["Hear, hea Hon. Members opposite cheered. invited them to consider the conditi England 50 years ago, when Mr. ning interfered to secure some ju some protection, to the oppressed p lation of Greece. He invited the compare the condition of England with that of Russia now, and to whether there was a single charge brought against Russia which could have been brought with the same ju against England then. Fifty years in Mr. Canning's time, there were r people who remembered the even the suppression of the Irish Rebe in 1798. Had hon. Members opp read Maxwell's *History of the Irish bellion?* It was uncommonly good r ing for Englishmen and very bad rea for Irishmen. If they had read it, would remember something of Sir kin Fitzgerald, who received a pen from the Crown for deeds as foul as were committed by any Russian. did not wish to say anything w might be humiliating to any hon. M ber; but what was the compositio that House then? What was the tical worth of the English Church t What was the character of Eng then? They talked of the Prote policy of Russia. What was the mercial policy of England then? talked of the extension of Russian minions in Central Asia. He a them to look back to the once contin extension of the British possessior India. They talked of pledges forfe He asked them to remember how vernor General after Governor Ger went out to India with professior peace, and how they went on addir the territory of their predecessors. wondered at what he was afraid he r call the want of intelligence, at the ir ness of intellect which prevented

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from looking at the history of their own country before judging of the misdeeds of other countries, or from seeing how far the charges which they brought against others could be brought against themselves. There was another reason often advanced why we should not enter into alliance with Russia. He was almost ashamed to mention it, but it was necessary to do so. There were many people who were moved to action in this matter chiefly by the fact that the oppressed races of Turkey were for the most part members of the Greek Church. But there were, on the other hand, many people who were kept back from sympathizing with those oppressed races because they were members of the Greek Church. For himself, he believed that with Greek Church or Latin, or with any other ritual, he should feel the same sympathy; and he trusted that the Liberal Members of the House of Commons would never withhold their sympathy from him who suffered, whatever his creed might be. There was one other point to which he might refer. When he looked to the state of Europe at the present time he saw something which justified the deepest anxiety. At home there was nothing to fear. Progress might be more or less rapid, but the maintenance of progress was certain. It was different abroad. He saw nation separated from nation by feelings of suspicion, of jealousy, of hate. International jealousy was so strong that there was not even a free exchange of thought. Ideas and feelings would not pass from one nation to another. The very sources of intellectual and moral life were poisoned by that jealousy. If anyone thought his language overcharged, let him visit the two countries which were supposed to be foremost in the development of civilization—France and Germany. Men used to go to Paris to meet emancipated intellect working freely, discussing all manner of problems. If one went thither now, and in talking with a Frenchman broached the subject of Germany, he would find that on that question the mind of the Frenchman was absolutely closed. The French could not understand anything good in Germany. They hated the name, they hated the civilization, they hated the learning of Germany. In Berlin, again, we should, no doubt, find monsters of learning to put our ignorance to shame; but if we broached the subject of France, we should find a total incapacity to understand anything good in France. He had hoped that the co-operation of the Great Powers in connection with the Eastern Question would afford an opportunity of breaking down this mutual hostility. In particular, he had expected that the Conference at Constantinople would do much to develop among the nations of Europe a feeling of common interest. He had looked for the inauguration of a rule of justice, and for the formation of a new Holy Alliance very different in its nature from that Holy Alliance the object of which was to keep everything as it was. It was to be deplored, for the sake not only of England, but of all Europe, that failure had attended the attempts to which he referred. That opportunity had been lost, but occasions would recur again and again. If the principles of international action which he had endeavoured to explain should find any acceptance in the councils of this country, there would be no want of opportunities to put them in operation. Even within the last two or three days, he understood, Russia had reiterated the determination of the Czar to make no territorial aggrandizement. As the war proceeded step by step there would no doubt be stages at which it would be in the power of this country to help the Czar in completing the work he had undertaken. This discussion served to give expression to the feeling, which, in his opinion, was shared by the majority of the people of this country, that the power of England should be exerted on behalf of justice in alliance with the Czar. ["No!"] He might, of course, be mistaken in what he had just said. It was a question of the estimate of public forces outside, and he only went on the evidence as it had been presented to himself. No doubt the majority of the Members of that House were of opinion that the judgment he had expressed was wrong. But he was not discouraged on that account. There watched and waited upon the deliberations of Parliament an enfranchised and generous people; and he would be content, in the event of defeat in that House, to go before the tribunal of their judgment, to which the pleas of humanity and of justice were never addressed in vain.

Mr. Courtney

MR. CHAPLIN: In the remarkable speech of the hon. Gentleman who has has just sat down, in spite of the want of intellect with which he charged us who sit on this side of the House, I am free to acknowledge that it left nothing to be desired in the frank, manly, and straightforward avowal of the policy which, in his opinion, ought to be pursued. Perhaps, however, before going into the general matter of the remarks which I am about to submit to it, the House will allow me to make a few remarks on the speech of the right hon. Gentleman the Member for the University of London (Mr. Lowe), made at the close of the debate on Tuesday night. The right hon. Gentleman delivered a speech on the occasion which was full of severe and caustic criticism upon the conduct of Her Majesty's Government. He characterized it as being full of blunders, distinguished by faults of judgment and temper and obvious concealment. He began with the Andrassy Note, and said that document was deprived of its grace by the manner in which Lord Derby gave his adhesion to it. I entirely dissent from that opinion, but I shall say nothing more about it. He then went on to speak of the Berlin Memorandum, and contended that it contained the principle of a satisfactory solution of this question. It had been rejected, he said, by Her Majesty's Government on "small and technical grounds." I do not know what the right hon. Gentleman means by "small and technical grounds." The "small and technical ground" on which it was rejected was that it recommended armed intervention in the affairs of Turkey if the proposals it contained were not accepted by the Porte. In other words, it proposed a policy of coercion, and that is precisely the policy against which Her Majesty's Government was consistently opposed, and which it is quite unprepared to adopt now. However, the right hon. Gentleman went on to charge the Prime Minister with having spoken of the massacres that occurred in Bulgaria in a spirit of levity. As I am a follower of the Prime Minister I feel bound to vindicate him from such a charge. When it is said that the Head of the Government is guilty of levity in regard to such a question as this it is a slander not only upon him, but upon the Administration of which he is the head. Perhaps the House will allow me to quote the words of Lord Beaconsfield himself with reference to this charge. In a letter to *The Times*, dated September 6, he said—

"There are some occasions on which a misstatement, frequently repeated, ought to be noticed. There is such a case, I think, in your leading article of yesterday. I never used such an expression as 'an historical people,' to which it is difficult to annex a precise idea, or ever sought to raise a laugh at the more primitive and speedy methods used by such peoples to get rid of their enemies. My statement was in answer to one that 10,000 Bulgarians had been submitted to torture. I was perfectly grave when I replied that I was sceptical as to such occurrences, as massacre, not torture, was the custom of an Oriental (not historical) people. Unhappily, it has turned out that I was correct. Certainly, on the occasion in question there was, to my surprise, a laugh, but it came, as I was subsequently told, only from one Member. I hope the misplaced laughter of another is no proof of the levity of your obedient servant, BEACONSFIELD."

This, I think, is a conclusive answer, and should be accepted as such by hon. Members on both sides of the House. The right hon. Gentleman, however, went on to argue that this levity caused the Autumn agitation. Has it ever occurred to the right hon. Gentleman that there may be changes of circumstances as well as changes of policy? The Government at the time of the speech of Lord Beaconsfield had not received any official information of the circumstances that occurred in Bulgaria, but when they received further and fuller details from Mr. Baring's Report the circumstances were by no means the same; and within the very first week after this official information had been received the Government sent a despatch to their Ambassador to be communicated to the Porte, the severity and stringency of which has been frequently commented upon in these debates. The right hon. Gentleman then referred to the Guildhall speech, and said it was an ungenerous answer to the protestations of Russia. I disagree entirely with that view, and I think the language that was used was that of a great statesman who deserved well of his countrymen; and the right hon. Gentleman would have been nearer the mark if he had said that it contained a timely, though, alas, an ineffectual warning to Russia. The Prime Minister, however, repeated that language in "another place," which by the Rules of this House we are not per-

[*Third Night.*]

mitted to mention, and not one of the Colleagues or supporters of the right hon. Gentleman there challenged the statement; and I must say that it would have been more becoming if the right hon. Gentleman had refrained from making the charge in the absence of the Prime Minister. The right hon. Gentleman the Member for Pontefract (Mr. Childers) in his speech made one remark to which I wish to refer. He said that the answer of Lord Derby to the Circular of Prince Gortchakoff was ill-advised, violent, and provoking. I think, on the other hand, that a more dignified Paper, and one more deservedly warranted, was never penned in the British Foreign Office. The right hon. Gentleman certainly did not say in so many words that in the conduct of these negotiations the voice of Her Majesty's Government was the voice of Jacob, but the hands were the hands of Esau, but he did insinuate that, although the despatch was unwillingly penned by Lord Derby, it was dictated by Lord Beaconsfield. Well, whose voice would you wish to hear in a great and solemn crisis like this but the voice of the Prime Minister of England? But it was not only the voice of Lord Beaconsfield; it was the voice of Lord Derby as well—aye, and of a united Cabinet also. I once for all protest against the insinuations that have been made about the existence of divisions in the Cabinet, based upon reports taken from evening newspapers, for which there is not the shadow of a foundation. I believe that in the minds of those who make it the wish is father to the thought. The hon. Member for Liskeard (Mr. Courtney), however, comes forward in the boldest manner and urges upon us not only a war policy, but a policy of dismemberment of the Turkish Empire. I will only say this with regard to the policy of coercion that is proposed by the hon. Gentleman opposite, that it comes a good deal too late; and when I oppose a policy of dismemberment, although I am not prepared to say what should be put in its place, I am prepared to say that if it were to be carried out by Russia and England Russia would want a portion of the spoil, Germany would want a slice, and Austria would require something. In my opinion, a more dangerous policy could not be proposed. Upon the Resolutions, or rather what were the Resolutions of the right hon. Gentleman (Mr. Gladstone), I have a word or two to say. When I came down to the House on Monday night I was in hopes that we were about to be confronted at last with a Motion which was meant to be something more than simply one of those to hang speeches on, of which there have been too many. I was sanguine enough to believe that the time had at length arrived when we were to have something more than the irregular warfare which has been pursued so long, and that the right hon. Gentleman the Member for Greenwich, having taken a careful survey of the position, was prepared at last to lead an onslaught on Her Majesty's Government. From what took place on Monday night, however, I must say that we are again doomed to disappointment. I share to the full the bewilderment of hon. Gentlemen with regard to the position in which we are placed, and the change that has come over the spirit of the dream of the right hon. Gentleman. I think his courage has failed him again at the last moment, and that under a speech which for force and splendour the like of which has seldom been heard in this House, he has, to use military language, been engaged in the operation of what is generally known as covering a retreat. I regret that more than I can say. I always thought it a grievous error on the part of the right hon. Gentleman, and a grave misfortune for the interests of England and of Europe, that this question had not been brought to a decisive issue the moment Parliament re-assembled. I thought so then, and I think so now, because I hold it to be impossible that if there was any real division of opinion among us that Europe, and, more especially, that Russia should know what the actual opinion of the Parliament of this country was as to the course she was contemplating and evidently pursuing. Even now I cannot help thinking that, if this had been done, if such an expression of our opinion had been elicited as would have shown to the world and to Russia how much in this country we should have been opposed to the independent action of Russia, Russia would have paused long, if she had not altogether refrained from taking steps which now were perhaps beyond hope of recall, and by which, I fear, she is too deeply committed. I may be asked how it was,

Mr. Chaplin

that holding these views, no one on this side of the House felt it to be his duty to make such a Motion. We could not do that on this side of the House, because it would have been moving a Vote of Confidence in ourselves. I do not think either that such a Motion could have come from the noble Lord opposite, the Leader of the Opposition. He is, at all events, the recognized Leader on that side of the House, and we had no right to expect any such Motion from him; for so long ago as last August, just before Parliament was prorogued, and in the very last speech he made, he concluded a statement by saying that, on the whole, he approved of the policy which Her Majesty's Government had pursued. Not so the right hon. Gentleman who brought forward these Resolutions. He took a very different course last Autumn, and one that disclosed a remarkable state of affairs, the culmination of which, I suppose, we witnessed in the events of last Monday night. Very soon after that speech of the noble Lord the right hon. Gentleman fiercely denounced Her Majesty's Government because for 12 months or more he thought their policy had been deplorable and opposed to the convictions of the people of England, although the recognized Leader of the Opposition had spoken of it in terms of distinct, if not emphatic approval. I say that, under these circumstances, it rested with the right hon. Gentleman to take the sense and opinion of Parliament on the subject, as soon as it met, to obtain its opinion for the information of Europe and the instruction of Russia. I know that the state of public feeling in this country has been raised during this discussion, and the hon. Member for Liskeard has followed the example of the right hon. Gentleman by hinting his doubt as to the House being a fair exponent of public opinion on this question. I remember that in the Recess hon. Gentlemen opposite were loud in their appeals to have the decision submitted to the judgment of Parliament. One Member of the late Administration, the right hon. Gentleman the Member for Birmingham (Mr. Bright), whom I am glad to see in his place, went so far as to say that the demand was constitutionally wise, and that if it was complied with he did not fear what the verdict of Parliament would be. Parliament has now been met for time; but I suppose that hon. G men opposite find that its verdict likely to be what they wish, and s they think it right to turn round a talk of appealing again to the co And what, let me ask, is the feeli the country? I think it will be ad that the people of Salford rep very fairly the views and the feeli the people of England. ["No." any rate, hon. Gentleman on tha of the House thought so befor election. The people of Salford given hon. Gentlemen the a They have told the right hon. G man who has brought forward Resolutions, that in the unhapp unfortunate course he has pursu this question, he has neither the of this country, nor the opinion of I ment with him. Long ago he coul found out the opinion of this Hous got a verdict upon this deplorable tion. The right hon. Gentleman, exercise of his discretion, did n whatever in the earlier stages difficulty; and it is only now when thing—persuasion, protest, Conf and Protocol—has been exhausted war was begun and the worst p of men were already aroused, t thinks it the convenient moment duce his five Resolutions; and w due respect to him, I may be allo say that anything more ill-conside impossible of fulfilment than these lutions cannot be very easily ima Four of those Resolutions have withdrawn. ["No, no."] Well three of them have been with ["No, no."] Well, two of them been withdrawn. ["No, no."] were, at all events, to use the of the right hon. Gentleman h morally, if not materially, with ["No, no."] Well, then, let u pose that they are all still on the and that being the case, so mu better, as the House will have an tunity of dividing upon them. not be much more wonderful if th than some of the proceedings the cized on Monday night. I would few words on the Resolutions, esp on the first, because in that, opinion, was really contained the ciple of them all. What I unde the right hon. Gentleman to p was this. We were to promo

concert of the European Powers, with a view to exact from the Porte certain changes of government in their own country—that was to say, we were to join with Russia and the other Powers if they consented to coerce Turkey, which meant armed intervention. I doubt very much whether the Powers would concert for that purpose. The despatches, I think with one exception, lead to a conclusion the opposite of this. The hon Member for Liskeard said that Austria was prepared to adopt such a course. I believe there is a despatch in which it is stated that Austria at one time made a sort of proposal to send the united fleets to the Bosphorus; but, so far as I can remember, the proposal was subsequently withdrawn. But there is another despatch to which I must call attention. It occurs in the Blue Book (No. 1, 1877), page 452. It is dated October 9, 1876, and is written by Mr. Malet to Lord Derby. It contains this passage—

"Signor Melegari told me that he had learnt with much satisfaction that Austro-Hungary had likewise refused to co-operate in the proposed intervention in the Turkish Provinces, for the presence of an Austrian occupying force in Bosnia would be a serious embarrassment to Italy, and would arouse questions which are happily at present dormant."

But, after all, if there was so much efficacy in the policy of coercion, why were we not told of it when the Session commenced? Why did the right hon. Member for Greenwich content himself with saying at Taunton that he wished to impress on the people the duty of watching Her Majesty's Government? Why did he not state frankly what was in his mind—that coercion, and coercion alone, was the policy they ought to pursue? War had not then begun, and there was a chance, at any rate, that the threat of coercion might have had the effect of maintaining the general peace. But now that that time has gone by, and as Turkey is in the midst of her trouble, it seems to me to be unfair, if not cowardly, to propose any such measure. What fair reasons can be assigned for the proposed change in the course of policy towards Turkey which has been followed by English statesmen for so many years? Surely the right hon. Gentleman the Member for Greenwich is not the man to ask them to do that. The right hon. Gentleman would not plead that the reason why they should take such a course was the long system of oppression on the part of Turkey; because, whatever might have been the faults of the Porte in this respect, they had been condoned by the right hon. Gentleman himself, whose Government solemnly renewed the Treaty of 1856 in the year 1871. Nor can it be founded on the absence of any disposition on the part of Turkey to fulfil her obligations after the Crimean War; because on the authority of the right hon. Gentleman's own Government it was stated, that in 1872, those obligations were being fairly fulfilled, and that, as a class, the Christian subjects of the Porte had no cause to complain. Therefore, it is to later events that we must look for the changes of policy, and I suppose that the reasons assigned would be the massacres of Bulgaria; and, if so, it is only right that we should know everything with reference to those massacres. Some people seemed to imagine that the Turks were entirely responsible for those massacres. But I believe that Russia has to bear her share of the guilt which has been showered—I own with so much justice—on Turkey. What do we find in the Blue Book? Despatch after despatch bears upon this point, and as this is a part of the question which has been somewhat overlooked, I hope the House will allow me to read one or two short extracts. I find, on the 27th of July, Mr. Dupuis, referring to the destruction of Peroushtiza, says—

"M. Gueroff, the Russian Consul of Philippopoli, now absent, is said to be the chief cause of this disaster."—[*Turkey*, No. 1. (1877), p. 14.]

That is confirmed on the 11th of August by Sir Henry Elliot, who says, in a despatch to Lord Derby—

"A letter from Mr. Baring received yesterday contains these words:—'There is not the slightest doubt that the Russian Consul at Philippopoli had a leading part in creating the late insurrection.'"—[*Ibid.*, p. 20.]

It is said the insurrection was promoted not by Regular troops, but by the Bashi Bazouks, and the right hon. Member for Greenwich asks who employed the Bashi Bazouks. Here is an answer, though I admit not a complete and satisfactory answer. On the 12th of September Sir Henry Elliot wrote to Lord Derby—

"The Grand Vizier asserts that the person ally responsible for the general arming of the hamedans was Mahmoud Pasha, who, acting der the influence of the Russian Ambassador, used to send the troops applied for by the thorities."—[*Ibid.*, p. 253.]

do say if we attentively study the uses of the insurrection, we can come no other conclusion than that, if Turky is guilty, Russia must bear her share of the blame. Shocking and horrible, therefore, as the massacres have been, they form no adequate reason for adopting a change in our traditional policy by joining with Russia in coercing Turkey for crimes for which Russia is partly herself responsible. I confess I fail to see how the wants of humanity and justice are to be secured by coercion; nor do I see how one nation should, under the circumstances, be punished and the other allowed to go free. "My object," said the right hon. Gentleman, "is the peace of the world," and he would accomplish that object by armed intervention, and by bringing six instead of only two of the Powers into collision. The right hon. Gentleman has said that the Government have failed entirely, but I believe that they have tried everything which, humanly speaking, could have been tried, to prevent war; and the country which was responsible for it was Russia. If Russia ever wanted peace, peace we should have at this moment; but as she wanted war, a war is now being waged in Asia and in Europe, the limits of which no man can foresee. No Government, I think, has ever had a more difficult task to contend with, but its difficulties and complications were in a ten-fold degree intensified by the course which was pursued by the right hon. Gentleman in the Autumn. I do not complain of that great outburst of natural sympathy, so far as it reflects the generous action of the English nation. I saw nothing in it but what every Englishman might be justly proud; but if these are the last words which I may utter in this House, I did denounce, and will continue to denounce, those who, at a risk of inciting a war which might lead to a general conflagration of Europe, to the prejudice of any arrangement of peace which might have been made, did not scruple to use for political ends, the best feelings of our nature, the generous, noble instincts of the English people. Can there be anyone who does not feel that upon the leaders of that movement, who had made such a series of attacks upon the Government, a large share of responsibility for the present unhappy position in which Europe is now placed rests? I ask, would the armies of Russia have been moved, but for the speeches, writings, meetings, and pamphlets of the right hon. Gentleman, misrepresenting as they did the feelings and opinions of the people of England? And then there was the pamphlet which has been so often referred to, which some have called "famous," and which was translated and published among the Russian people. With all these things the question which I have asked might well be asked; but I should be sorry to answer it were I in the place of the right hon. Member for Greenwich. God forbid that I should impute to the right hon. Gentleman aught but the best and highest motives. I would scorn to do so of a man who, however much I might disagree with him on political grounds, is an honour to his country. The right hon. Gentleman made an appeal to this House on Monday which wrung from foes as well as friends a tribute of enthusiastic admiration, not only for its eloquence and power, but also for the unmistakeable convictions and sympathies by which it was inspired. But why did the right hon. Gentleman not allow to those on this side of the House a small portion, at any rate, of those feelings which they as much honoured as himself. For myself, I would say—"Give to the Porte a further time of trial and probation for the execution of the reforms which she promised under the watchful vigilance of the Powers, but free from the ever-pressing curse of unscrupulous interference." I know the right hon. Gentleman disagrees with me and I will not venture for a moment to put my opinion against that of the right hon. Gentleman; but I will quote an opinion, the weight and authority of which the right hon. Gentleman will be the first to recognize. What said the man of iron will, to whose ability and experience the right hon. Gentleman testified with so much eloquence on Monday?—

"Give them (the reforms) a fair trial and they may turn out to be a reality, and in that case perhaps the better for wearing the semblance of a voluntary act. Should they prove a failure the pressure might surely be renewed with a

better show of reason and a better prospect of success."

Those were the words of Lord Stratford de Redcliffe, a man who was *par excellence* the greatest authority upon the Eastern Question; and, in the face of that opinion, has the right hon. Gentleman nothing better to offer than the cruel and bitter charges he has made against Gentlemen on this side, because, with one common object, our policy is different from his? I am grateful to the House for the kindness with which they have heard me, and I will detain them only a very few minutes longer. I cannot help feeling that it is too late now to undo or recall the past; we have only to deal with the present and the future. What is the duty of England in the present crisis? is the question on every lip, and which we have to decide. I believe that duty to be this—to maintain a strict and severe neutrality, to minimize and limit as far as may be the area of the war, to seek the earliest opportunity of restoring peace, and to abstain from all and every interference as long as the interests of Britain permit. But neither the ridicule which has been so unkindly cast upon us, nor taunts nor sneers about British selfishness shall tempt me to forget, even though others may not remember, what those interests at this time really mean. They mean the welfare, the happiness of 200,000,000 subjects of the Queen. If it were selfishness to govern, for their good, races dependent upon us by the civilizing progress of the West, to foster and develop material happiness and prosperity in the East, to give the people there equal laws, to mete out even-handed justice—if that be nought but selfishness, if the Government and the House of Commons, and the self-sacrificing efforts of the servants of the Queen to rescue from the pangs of famine and from agonizing death the starving millions of our people, then I, for one, am content to accept the charge, and say that a higher duty, a nobler task no Minister or Statesman could desire than to guard and defend such interests as those. Our duty in addition is to watch and wait in readiness and armed preparation with this fixed, steady purpose in our minds—that Russia shall never set foot in Constantinople while we have a man or a gun to prevent it; that our highway to India shall be kept free and open to us for ever, if our ships have to sweep the Mediterranean to effect it. It is for the Government to decide what measures and preparations it may be for them to take for that purpose. I would remind them, however, of a pregnant sentence or two assigned to Lord Dalhousie, who presided over the Royal Commission of 1866—

"Recent events, however, have taught us that we must not rely in future on having time for preparation. Wars will be sudden in their commencement and short in their duration, and woe to that country which is not prepared to defend itself against any contingency that may arise, or combination that may be formed against it."

I would ask the question—"Are we prepared at this moment?" I trust that before long we shall be told by those who are responsible that the position of this country will be one of armed and complete preparation, as well as of strict neutrality. It is by these considerations that the policy of England must be guided at the present crisis — not in haste, not in panic, not in hurry; but with the firm, unalterable determination which becomes us as Englishmen and Members of the British House of Commons, that by that standard of our interests, of our duties, and our rights, we as a nation will either stand or fall.

MR. MITCHELL HENRY: Mr. Speaker,—If I may be allowed to select out of the numerous speeches to which I have attentively listened, that which most nearly expresses my own views as to the Eastern Question, I should select the speech of the right hon. Gentleman the Member for Montrose (Mr. Baxter), because it was founded on his own recent experience in the East, and it thoroughly comprehends all that I have thought and have often expressed as to Turkish rule in Europe, of which I have had a personal knowledge for more than 30 years. I speak, however, only for myself; I have no authority to represent the views of any of my Parliamentary Colleagues: indeed, as a body we have no collective views on this subject, but I will claim to represent the feelings of my own constituents. The county of Galway has always supported the cause of the oppressed Christians of the East, never with so much power and effect as when it was represented by my late Colleague, Sir William Gregory, whose speeches in 1860 on the atrocities in

Crete riveted the attention of the country not more by their generosity and their truth than by the classic beauty of the language in which he clothed them. But, Mr. Speaker, I will go even further, and boldly claim on behalf of the people of Ireland that it is a calumny to assert, as some do, that they care nothing for the sufferings of the Eastern Christians because they are not of their own faith; and if anyone had the hardihood to appear on a platform in Ireland to maintain that because Russia has oppressed the Roman Catholic Poles, or because she now grievously oppresses the unhappy Catholics in her Empire, that therefore we are to maintain the hated rule of the Turk, and to assist him to keep in misery and subjection those who, like ourselves, find rest for their souls under the shadow of the Cross, I venture to say he would be driven away with execration. The Irish people sympathize with human suffering wherever it is to be found. They, Sir, have learned from their own unhappy history to keep ever fresh in their hearts, and often on their lips, that beautiful and pathetic prayer in which we call upon the common Father of all mankind, "to show pity upon all prisoners and captives, and upon all who are desolate and oppressed." But it has been asked—Why was Ireland silent during the Autumn, when England and Scotland were agitated from one end to the other by the Bulgarian atrocities? The answer is not difficult to find. The Irish people disbelieve in the sincerity of Parties on either side of this House, and remembering their own experience, doubt the genuiness of the cry of humanity which coincides with the cry of a political combination. They know from the testimony of their own fathers, and from the despatches of Lord Cornwallis during the Irish Rebellion, that rapine and flame, lust and murder, everywhere accompanied the march of His Majesty's troops, till their very commander cried out in shame and anger to the Government of the day. They remember the putting down of the Indian Mutiny, when men were blown from guns, and their limbs scattered to the winds of Heaven, because, in pursuance of a policy which seemed to have been born of Hell, advantage was taken of the belief of these Hindoos that in such a mode of death they lost both soul and body. An hon. Gentleman exclaims that it was a common Indian punishment. Will he contend that if we go to Corea, we are to adopt crucifixion as a punishment, because it is common there? Nor do the Irish forget that during the Jamaica insurrection it was thought a notable and praiseworthy discovery that excellent and enduring cats could be made of piano wire. Turning now to the present debate, I must say that nothing has filled me with more sorrow than the tone of half the speeches that have been delivered—speeches that may fittingly be described as recriminatory speeches. Hon. and right gon. Gentlemen, on one side or the other, seem to think more of taunting each other than of the greatness of the subject, or of the many and momentous interests involved. Why, say the Government supporters to this side, did you not do so and so when you were so long in office? Why, answers the Opposition, did you so word such a despatch? Why did you neglect such and such a recent opportunity? I am weary utterly of hearing of Treaties and despatches. "A plague on both your Houses." All your Governments are in fault; the House of Commons is in fault; the country is in fault; and, like great national faults, the stain will not be wiped out without bitter retribution. We stand on this subject of Turkish oppression in the same position as the United States stood as regards slavery. For long years the Northern States, knowing the evil, deploring the sin, forbidden as it was by their own Constitution, connived at slavery, sacrificed their most cherished convictions, all for the sake of the almighty dollar, and for an ignoble peace. But at last the time came when the patience of the nation was exhausted, and at the Convention of Leavenworth the people said—Thus far, and no further. Then was raised the dreadful veil that concealed the Civil War, and, through untold suffering, the United States set free the slave, and paid the penalty of its sin. So—God grant it may be without the suffering—must it be with us. The massacres of Bulgaria have filled the cup of endurance to overflowing, and the knell of Turkish tyranny at last has sounded. But you, the Conservative Party, during the American War, acted exactly the part you are acting now. Your cry

then, as now, was for British interests, and you thought that the break-up of the great American Republic was to serve the cause of British interests—let slavery continue for ever, so that the States be rent in twain. And now British interests demand the integrity of the Turkish Empire, let Christian peoples be kept for ever in bondage more galling, in a tyranny more appalling, in abominations unequalled except in the descriptions and denunciations of St. Paul. And how has your boasted diplomacy served you?—that diplomacy which no man can depend upon, and which never tells the truth, as I will proceed to show. In 1868 we had the Cretan debates, and, as usual, Lord Stanley, then a Member of this House, minimizes and denies. In July, 1869, the present Baron Dowse asked how the Sultan was fulfilling his solemn promises to the Christians, and Mr. Otway, then Under Secretary of State for Foreign Affairs, answered "most satisfactorily." In April of next year Sir David Wedderburn inquired about the unhappy people of the Sporades Islands, and again Mr. Otway answers, "the Turkish Government is removing all real grounds of complaint, and any dissatisfaction and disturbances are all owing to people in London," just as now Christian risings are owing to people in St. Petersburg. In July of the next year Sir John Gray—and I am glad that it is Irish Members who have always interfered—repeated the inquiry; and Viscount Enfield, who had succeeded to the office and to the traditions of our foreign policy, again gave the stereotyped reply. Next year, on the 5th August, 1872, Sir John Gray—and I will quote the exact words—inquired of Viscount Enfield—

"If he would inform the House whether the authorities of the Ottoman Porte are giving effect to the provisions contained in various edicts issued by the Sultan of Turkey during recent years in favour of his Christian subjects?"

Let the House listen to Viscount Enfield's reply—

"Sir, the latest report received from Constantinople, received two days ago, states that, as a general rule, the edicts in favour of the Christians are fairly carried into effect, and that as a class they have no reason for complaint."—[3 *Hansard*, ccxiii. 454.]

And it is just the same now—the Foreign Office is the last to hear, the British Consuls who have been so long in the East that they have ceased to look on things with English eyes, are the last to understand that anything is wrong; and if it had not been for the enterprize of the Press, and the daring of the newspaper correspondents, all the horrors denied so long by officials would have been kept back from the people of this country. But if we would understand the ins and the outs of this question, we must carefully distinguish between the official Turk and the lower classes of Moslems, and it must not be supposed that the Christians alone were oppressed. On the contrary, nothing can be worse than the condition of the villagers both in Turkey and in Egypt. Amongst the lower Mussulmans you will often find fidelity, truth, hospitality, a sense of justice, as well as the sobriety and resignation which their religion teaches them. But for the anti-human type you must go to the man who farms the taxes, or to the Turk who has graduated in the saloons of London or of Paris, and who, with a splendid forgetfulness of the Koran, has contracted a taste for the good things and the champagne of the West. Let me read to the House a few lines describing the character of the Turkish Government—

"Wherever the Turk is suffered to predominate and to be implicitly obeyed, laxiness, corruption, extravagance, and penury mark his rule; and wherever he is too feeble to exert more than a doubtful and a nominal authority, the system of Government that prevails is that of the Arab robber and the lawless Highland chieftain."

These were the words, not of some novelist or fanciful writer, they were the words of your own Ambassador, Sir Henry Bulwer, in 1860. Lord Dalling, as he afterwards became, knew the official Moslem well; and it is related of him that when he once went to Cairo to observe for himself as to whether slaves were still bought and sold, he quietly got his information, and, accepting in the politest way all the official assurances given to him, put on his cloak one evening, and, attended by two or three Kavasses, walked straight up to the house where he knew the sale was going on as briskly as ever. And I have more than once told the Government in this House that if it will even now bid its Consul use his eyes, he will find cargoes of slaves on the Nile, not far from Cairo, passing under the noses of the Provincial Gover-

nors, notwithstanding all the assurances of the Foreign Office. This I mention in passing as an illustration of the worthlessness of our diplomatic system—none so blind as those who will not see. It is not through our diplomatic Staff that we know what has passed and is passing in the East. It is, I repeat, the newspaper correspondents—those brave and fearless men who have not feared to tell the truth—that have aroused the English people, and at last have extorted from unwilling officials a confirmation of the hideous tales of massacre and outrage. But, Sir, we are now brought face to face with this terrible Eastern Question, to settle it, I hope, for ever. On the one hand we have 3,000,000 of Mussulmans keeping in bondage 11,500,000 Christians, and who, if the Christian nations had been united, would have been liberated long ago. The Turk invariably yields to what he calls his Kismet or Fate; he has a tradition that he is not to remain in Europe, in which he is a lawless intruder, of which there can be no better proof than that all Constantinople Turks bury their dead in Asia, lest the hated foot of the Giaour should one day tread upon their graves. Suppose we reverse the picture; would 11,500,000 Mahomedans, who really do believe in their religion, have suffered 3,000,000 Christians to hold them in this abject subjection? And do you think that the Turk credits you with believing in your own religion? No—to him you are an unbelieving dog—he despises the Christian in his heart, he tolerates him when it is not worth while to crush him, and when Englishmen and Members of Parliament go to Constantinople and accept the cajoleries and the delicate hospitalities of some astute Pasha, and come back here to sound the praises of the civilized Turk, they only deepen the contempt and scorn which the Mussulman entertains for the Christian race. It is a false issue to put it as it has been put in this debate, that to hate Turkish tyranny is to love Russian oppression. It is no question between Russia and Turkey—it is the question between justice and mercy and foul wrong and oppression; between a Christianity which, imperfect as it may be, yet contains within it that element of moral development and of social progress which appertains to every believer in Christ, but is impossible in the orthodox Mahomedan. The noble Lord (Lord Eslington) told us the other day that we ought to be tender with the Turk when he does not admit Christian testimony against a Mussulman, because the Koran forbids it. Why, Sir, that is the very reason why we must get rid of the Turk. So long as he is an orthodox believer, it is impossible for him to do justice to the Christian; and this is, in truth, the secret of your diplomatic failures. Then we are told that the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) has discovered a new policy. It is no such thing. In 1865, the right hon. Gentleman said in the debate—

"A great object of European policy is to prevent the extension of the Russian power in the direction of Constantinople;"

and this, I believe, is his doctrine now. [Mr. GLADSTONE made a gesture of assent.]—

"The best resistance (continued the right hon Member in the same speech) to be offered to Russia is by the strength and freedom of the countries which will have to resist her. You want to place a living barrier between Russia and Turkey, and there is no barrier like the breasts of free men."

These, Sir, are noble sentiments, and for my part I elect to stand on them. The European Powers will never allow the extension of Russian acquisition south of the Danube, or permit to her the possession of Constantinople; but that we Christian men should connive at these hideous wrongs, on some fanciful speculation that Russia may one day possess the Danubian Principalities—a thing incredible so long as Austria, Hungary, and Germany continue to exist—is, to my mind, altogether inexplicable. But, then, we are told, there is the Euphrates Valley and English interests in the East. Who, let me ask, is wise enough to tell us what are English interests in the East? Has the House forgotten the history of the Suez Canal? The greatest statesman of modern times, the most experienced Foreign Secretary, the most skilful diplomatist, from first to last opposed the making of the Suez Canal, because, in his opinion, it would be contrary to British interests. Yet, if he had lived, Lord Palmerston would have learned that the existence of the Suez Canal has immeasurably served the cause of

British interests, and of British Eastern power. A railway through the valley of the Euphrates would be an enormous blessing to mankind, even if it is made by Russia—a prospect distant indeed. There is no injury Russia can do to us so great as we can do to ourselves when we desert the principles of our forefathers, and refuse to recognize the voice of humanity in our dealings with our co-religionists in the East of Europe. We may lose our own self-respect in idle panic; we may lose the respect of the World, and the affection of those races that will yet be free; but if there is a repetition of the massacres and crimes of the Autumn, and the Conservative Party adopts the tone and the semi-indifference of the past—the Government, with all its majority, will be swept away by the awakened anger of the subjects of the Queen, and no other will be able to stand in its place that fails to remember that the watchword of a Christian people should be "do justice and fear not."

MR. J. G. HUBBARD was desirous of giving some explanation of the part he had taken at the meeting held in the Guildhall last Autumn, and of the course he intended to adopt in reference to the question now before the House. All England was thrilled with horror at the terrible events which had happened in Bulgaria, and the City of London was among the foremost to express its opinion on the subject at the great meeting to which he had referred. Resolutions were unanimously adopted on that occasion which were subsequently presented to Lord Derby, and these three points were especially insisted upon—first, an expression of horror at the atrocities perpetrated in Bulgaria, and of sympathy with the suffering Christians of European Turkey; second, an expression of utter despair of any amendment on the part of the Turkish Government in its course of misrule; and the third was an appeal to Her Majesty's Government to use such means and influence as they possessed, in concurrence with the other Great Powers of Europe, to bring about not only an immediate amendment in the government of Turkey, but to obtain securities for the future. He need not comment upon the course of policy which had been pursued from that day to this, or on the many remarkable events which had signalized the policy of this country during the last 18 months. He would, however, state his belief that the expression of feeling which had proceeded from the citizens of London was shared by the whole country and by the Members of Her Majesty's Government. One unfortunate feature of the controversy which ensued was that so much personal feeling had been mixed up in the matter, and so many unfounded charges made in reference to the conduct of public men who ought to have been far above suspicion. As to the course which, in his opinion, should have been pursued in dealing with Turkey during the progress of the negotiations on the Eastern Question, he maintained that if the 9th Article of the Treaty of Paris, which insured the territorial integrity and independence of the Porte, was to be regarded as involving a perpetual obligation, anything like effective intervention on the part of the Great Powers in favour of the Christians was out of the question. The Turks were too astute not to see what effect that Article must have in Europe, and therefore they never gave heed to anything in the shape of moral persuasion. If, too, it was laid down that remonstrance on their behalf was in no event to be followed by coercion, our dealings with the Government of Turkey must in the same way be deprived of the slightest efficacy. If, however, a remonstrance had been made to the Porte, undiluted and unqualified by any declaration of doubt as to the mode in which it was to be enforced, the Turks, he believed, must have submitted to the pressure, seeing that the disparity of strength between them and the Great Powers was so enormous. Suppose it were said that by taking that firm course they would have been in danger of coming into actual collision, his answer would be that it would be impossible to adopt any policy without running that risk. But why should there be such a morbid feeling against taking a bold course, because of the risk of collision, when the country had a great Army and a great Navy? War implied a sacrifice of blood and of treasure, and this country had never refused to shed and expend them in the cause of humanity. The country would not shrink from war if the cause was one that she could engage in as a duty. There were

now certain propositions before the House, and he must state that the feelings which he entertained at Guildhall, and when he went as one of the deputation to Lord Derby, were exactly expressed in the first two Resolutions of his right hon. Friend the Member for Greenwich. He could not, however, vote in favour of those Resolutions, because his right hon. Friend, who was instinct with so generous a feeling on behalf of suffering humanity, made in the course of his forcible speech so serious an impeachment of the Government that, differing absolutely from him in his view of their conduct, he thought it would be wrong of him to give his assent to the Resolutions as the outcome of that speech. Still less did he find himself able to concur in the Motion of the hon. Member for Christchurch (Sir H. Drummond Wolff); and therefore, without retreating in the least from any of the opinions which he had expressed, he felt it to be his duty to abstain from supporting by his vote any of the Resolutions now before the House. He wished, in conclusion, to observe that he deeply regretted the imputation of unworthy motives which, in dealing with this question, pervaded too often the speeches of even eminent public men.

MR. LAING claimed the indulgence of the House in rising to speak upon the question, inasmuch as he had in connection with it refused office some 20 years ago. It seemed to him, he might add, that apart from the wording of the Resolutions of his right hon. Friend the Member for Greenwich, there were two great and paramount objects which he had in view in proposing them—the first being, by means of an appeal to the House and the country, to frustrate the efforts of those who were endeavouring to get up a Russian scare in order to drift us into war. In addition to this, his right hon. Friend, being challenged to say what he wanted, laid down in his third and fourth Resolutions the outline of a broad, wise, and generous national policy. Yet, while he heartily concurred in that policy, he thought its assertion was of less importance at the present moment than the prevention of a Russian scare which might drift us into war. If that policy could have been adopted by the House, or by the country at an earlier period—if at the time Lord Salisbury was at Constantinople and the Conference was still sitting such a line had been followed—he believed that all the horrors of war might have been averted and that a great and beneficent end might have been attained. At the same time, hostilities having now broken out, he must admit that it was open to considerable question whether it would be wise for the House to lay down any abstract Resolutions of policy for the future—to lay down any Resolutions which, under the varying conditions of military events, might not prove altogether applicable. There were some Members of the Opposition who objected to a policy of coercion as being likely to lead to war, and as the persistence of his right hon. Friend might have led to great divisions on that side of the House and neutralized the effect of the first two Resolutions, the wise and patriotic course had been adopted of sacrificing the minor to the major object, and the result was that the Liberal Party would go to a united vote on the question. There could be no doubt that there were a great many persons who, in their hearts, really desired that England should take part in a war with Turkey against Russia. It was evident, also, that that was the general tone of what was called West-end opinion on the subject. One could scarcely go to a club or to a West-end dinner party without finding that three men out of every four were so blinded with antipathy to Russia that they were incapable of calmly reasoning on the question, and evidently had no wish except to see a repetition of the conflict in the Crimea. But what about West-end opinion on other matters? What about the opinion of the West-end of London during the war with America? Would not that opinion, had it been acted upon, have involved this country in a war in support of the Southern slaveholders as against the Northern States? Again, was not West-end opinion strongly adverse to the formation of the great German Empire; and had the establishment of that Empire proved prejudicial to British interests? Was it not, on the contrary, one of the greatest safeguards in connection with those interests? The same might be said with respect to Italy. West-end opinion had been entirely opposed to a free and independent Italian Kingdom; but such a Kingdom now existed, and could any person doubt that

it was best for English interests that there should be a free and independent Italy? On all these questions events had proved that West-end opinion had been entirely wrong. At the time of the Crimean War there were reasonable grounds of apprehension of Russia. Germany was not then an united Empire; Austria had just been rescued from ruin by a Russian Army. France, Russia, and England were the only three Great Powers who were able to move in the Eastern Question; and if we had refused the invitation of France, it was possible that Russia might have been strong enough to take Constantinople. Now the conditions of the problem were changed. The preponderance of military force was on the side of Germany and Austria, and it would be as difficult for Russia to go to Constantinople without their leave as for her to go to Vienna or Berlin. Germany and Austria might also be left to take care of the mouths of the Danube. But then we were told that we must look at Asia. Now, he had heard the question of a Russian invasion of India discussed on the spot by men of great military knowledge and experience. He would first remind the House of the opinion of Lord Hardinge, a great warrior as well as a statesman, who, in 1847, being asked to give his views to the Government of that day, said that India could only be approached by Russia through Afghanistan and the Khyber Pass. Such an invasion was, however, for military reasons, impracticable, or, if it were attempted, a Russian Army could be met by a superior force. "As to a Russian invasion of India," said Lord Hardinge, "depend upon it, it is a political nightmare." That despatch was referred to a still higher authority, and the Duke of Wellington said—"Lord Hardinge is quite right. Rely upon it you have nothing to apprehend from Russia in that quarter." Since that time our position in India with regard to a Russian invasion had been enormously strengthened. The Sikh State and Scinde were then hostile. Afghanistan was also opposed to us in consequence of the unwise invasion into which we were hurried by a Russian scare exactly identical with that which so many people were trying to get up at the present time. We had now the Punjaub, the Sikh State, and Scinde, which, so far from being hostile, now formed the strongest bulwark against a Russian invasion that we could possibly possess. Then as regarded Afghanistan, as long as we pursued the sensible policy of Lord Canning and Lord Lawrence—which had been observed for some years past—of keeping out of all complications with that country, and letting its people know that we had no desire to interfere with their independence—what had we to apprehend from them? If Afghanistan was invaded by a Russian force with a view to a subsequent attack upon India, the Afghans must gravitate to our side, for they would know that the Russians would never withdraw from their territory. Unless, therefore, we were going to adopt an entirely new policy we had nothing to fear from Afghanistan. The cure, in short, he would suggest for those who were afflicted with Russia on the brain was a course of physical geography. If those who held such alarmists views upon the subject were only to take such a lesson as is ordinarily given to a child in a National School, they would learn that there was such a range as the Himalaya mountains, the lowest pass of which was higher than the top of Mont Blanc, which barred the way to India, leaving but one road open by the Valley of the Emphrates, which terminated in the *cul-de-sac* of the Persian Gulf, where one British ironclad could stop the legions of Russia. And what, he would ask, was the amount of *impedimenta* with which a Russian Army of Invasion must necessarily be encumbered? Why, for every fighting man sent to the front there would, according to careful calculation, be required two camels, and one horse and a half. An army of 50,000 Russians would require 100,000 camels, 75,000 horses, and in addition to that, they should have 500,000 camp followers. Why, then, were we to get up a scare on the subject of a Russian invasion of India, which would cost us millions of money? It was the most ridiculous conception which could enter the mind of man—to use the words of Lord Hardinge, it was a political nightmare. He had never, whatever his own private sympathies might have been, swerved from the policy of non-intervention, nor would he do so now but for the Bulgarian atrocities, for which he considered that England was morally responsible, though he did not advocate a policy of Quixotism

for the redress of grievances all the world over. It had been said that Russia had been guilty of atrocities in Poland; but if that were so, we were not in any sense responsible for them. If, however, they considered the case of the Christian subjects of the Porte they could not but see that England was morally responsible for what had occurred, having, among other things, set Turkey up as the result of the Crimean War. The Bulgarian massacres drew the attention of this country to what Turkish misrule really meant, and marked an era in the Eastern Question. There were two theories which had been held in regard to Turkey—the one, the old tradition of the English Foreign Office which excluded all mention of Turkish misdeeds. On the other hand, we had the theory of travellers, newspaper correspondents, missionaries, and others who visited the country, all of whom concurred in stating that the Christian inhabitants were subjected to a grinding misgovernment which no man could tolerate for a moment when he saw the slightest means of getting out of it. In the case of the Bulgarian atrocities they had Mr. Schuyler and *The Daily News* Correspondent maintaining that awful atrocities had been committed; and they had Sir Henry Elliot and the English officials generally ignoring them as long as it was possible to do so. A crucial experiment was made by the sending of Mr. Baring—a witness of whose impartiality there could be no doubt, and the result of his Report was that the Foreign Office and official theory was exploded, and the theory as to the existence of oppression and the committal of atrocities established, and if there were the slightest desire on the part of Turkey to put a stop to that state of things, why, he asked, had not the known authors of the atrocities been brought to justice? It was impossible to rely upon Turkey doing anything in order to reform her institutions and her internal administration, and he could not understand this country standing by and approving a do-nothing policy of the kind. If he believed in the existence of the aggressive designs attributed to Russia, he should be the last man to advocate the staking of England's fortunes upon a losing card; but he had no such belief. The Turkish cause was on the ebb. The Turks did not even keep up their population; they had no trade, nor did they till the soil. As far as he knew, no Turk ever made a competent fortune by honest industry; whereas the Christian subjects of the Porte had, wherever they were not absolutely exterminated by the dominant race, increased trade, tilled the soil, educated their children, and promoted the best interests of the human race. Therefore, by taking up the cause of the Turks England would be lending herself not only to a bad, but to a losing cause, which, if patched up now, would rise again in the course of a few years, and at a time when its settlement on a satisfactory basis would not be nearly as easy as at the present time. At present Germany and Austria were united in the same great interests as ourselves; whereas if the difficulty were now patched up, who could say that France, having recovered her military power, might not enter into a league with Russia to allow her to do as she liked at Constantinople, in return for aid to recover Alsace and Lorraine? The effect of our present policy of doing nothing to settle the Eastern Question might result, therefore, in our being obliged to see Russia do as she liked in the East, or in our being obliged to engage single-handed in one of the greatest European wars the world had ever seen. As to the distrust and antipathy to Russia now so commonly expressed, if they compared the conduct of Russia throughout the negotiations with that of Turkey, he thought it impossible to avoid coming to the conclusion that so far from Russia having determined upon war from the commencement, there never had been a moment at which Turkey might not, by simply choosing to say yes to the minimized demands of her antagonist, have averted the war. Turkey had made no concessions, nor, indeed, had she taken any steps to promote European peace; whereas Russia had, among other things, emancipated her serfs—one of the grandest measures in the advancement of progress that the world had ever seen. In fact, there was no point of comparison between Russia and Turkey in which the former was not infinitely superior. Much stress had been laid upon the encouragement which the agitation in this country had given to Russia; but he asked if no encouragement had been given to Turkey by the

[*Third Night.*]

Aylesbury and Mansion House speeches of Lord Beaconsfield. He agreed with Lord Carnarvon that a policy of suspicion against Russia was ungenerous and hateful, and the sooner we got rid of our Russian scare the better it would be for our interests and our future tranquillity. In conclusion, he implored hon. Gentlemen opposite to consider the great responsibility which would devolve upon them if, for the sake of a little temporary advantage, they precipitated a conflict which would entail such terrible consequences on future generations.

MR. RITCHIE considered that the right hon. Gentleman the Member for Greenwich, by speaking upon his Resolutions as a whole, had in spirit violated the arrangement which had been made for the purpose of uniting the Liberal Party. The country would not separate the right hon. Gentleman's speech from his Resolutions, but would understand that those who supported his first Resolution practically committed themselves to the spirit of the whole of them; and while those who voted against it would be regarded as in favour of maintaining neutrality and peace, those who supported it would be considered to have voted for the coercion of Turkey. He thought the course taken by the right hon. Gentleman the Member for Greenwich was worse than that originally contemplated, because he now declined to take the responsibility of moving a Resolution which, if it pointed to anything, pointed to coercion. Hon. Gentlemen opposite told the House that the country had expressed its opinion in favour of these Resolutions. He entirely repudiated the notion that any such expression of opinion had occurred. Meetings that were called by telegram sent from the Liberal Association in London did not express the opinion of the people of this country. He had recently seen a poster in certain parts of London calling a meeting at St. James's Hall, and headed with three alarming words—"War, war, war!" He wondered whether the gentlemen who attended that meeting went to it under the notion that by attending and making speeches they were practically preaching war instead of assisting to prevent the Government from going to war. The recent meetings were of a very different character from those which were held in the Autumn, and with regard to which he heartily agreed with the Home Secretary, in accepting them as, on the whole, a genuine expression of the feeling of the country. He should have been ashamed of his country if it had not protested against the atrocities in Turkey. He was astonished at an expression of the right hon. Gentleman the Member for Greenwich when moving these Resolutions. Nothing should ever be said lightly in that House. Whatever was said by the right hon. Gentleman in that House went forth to the country with enormous weight. He was astonished that the right hon. Gentleman should court popularity by endeavouring to set class against class. The right hon. Gentleman attempted to make out that on this point the West-end of London was an opponent of the Christian cause. He (Mr. Ritchie) denied that there was the slightest foundation for such an assertion. ["Oh!"] He challenged any hon. Member to give even the shade of a proof that such a feeling existed. He maintained, on the contrary, that the West-end of London was a friend of the Christian cause and of every good cause. He (Mr. Ritchie) believed the Bulgarian atrocities, and the misgovernment and the oppression of Turkey, were as much detested by those who sat on his side of the House as they were by hon. Gentlemen on the Opposition benches; but he could not help expressing regret that such strong and vigorous denunciations of those outrages and cruelties as those of the Home Secretary had not been heard more frequently from the Ministerial side of the House. For himself, he had not the slightest sympathy with the Turkish Government, whose Christian and Mohamedan subjects alike had been oppressed to a degree which even yet we failed fully to understand. The Turkish Provinces had in the oppression to which they had been subjected sufficient justification for their insurrection to render any inquiry as to the existence of Russian intrigue unnecessary; but while he and those who sat on the Conservative side of the House entertained the greatest sympathy for the downtrodden subjects of the Porte, and were ready by all peaceful means to endeavour to obtain for them better government, until their increased intelligence and strength enabled them to secure self-government, they protested against the means which it was the unmistakeable object of the Party opposite

Mr. Laing

to adopt—namely, to go into the field side by side with Russia to coerce Turkey. He was aware that Turkey had broken her promises, and he was quite ready to admit that this country was to blame for having allowed those promises to remain so long unfulfilled. We undertook a peculiar responsibility in that matter after the Crimean War; but as for the greater part of the time which had since elapsed hon. Gentlemen opposite had been in power, and they were themselves chiefly answerable for what had happened. But though Turkey's promises in the past had been thus unfulfilled, they need not despair that she would show herself determined—now that the eyes of Europe were upon her—to carry out a different policy in the future, if her request for a little more time and a fair chance were granted her. In 1863, when Russia was remonstrated with on account of her oppression of the Poles, she replied that the restoration of order was the first condition of the establishment of an improved administration. Well, Turkey might say the same thing. With insurrection in her Provinces and an immense foreign army on her frontier, it was impossible for her, however sincerely desirous of doing so, to carry out effectual reforms. Hon. Gentlemen opposite wanted to apply coercion to Turkey by means of European concert, yet there was no evidence to show—but quite the contrary—that France, Germany, Austria, and Italy, would join in any such action. There was, moreover, the greatest possible danger in joint occupation, as was illustrated by the case of Schleswig-Holstein. Prussia and Austria had together occupied those Duchies, not for their own aggrandizement, but to execute the will of Germany; and what happened? The Duchies were annexed to Prussia; Austria and Prussia quarrelled and went to war with each other; and that transaction, he feared, was the beginning of the enormous amount of bloodshed which had since been witnessed in Europe. In the present case it was extremely probable that a joint occupation of the Turkish Provinces would be followed by similar quarrels between the occupying Powers themselves. There was a revolt in Poland with regard to the misgovernment of Russia, the insurrection was suppressed with the greatest amount of of cruelty, and Treaties were violated and set aside. In 1863 Lord Russell wrote that Russia had duties towards other nations with regard to Poland, and that the condition of things which had for so long existed in Poland was a source of danger not only to Russia, but to the whole of Europe. That was the precise language now used towards Turkey. At that time there was no suspicion of coercion breathed; and Lord Russell declared in the House of Lords that it was very often expedient to make representations to foreign Governments about their affairs without being prepared to push the controversy to the extremity of war. For himself, he did not believe that Russia was sincere in her present efforts on behalf of the Turkish Christians, because, though long before the insurrection broke out her Ambassador possessed a powerful influence at Constantinople, he had never exercised any of it to obtain better government for the Christian subjects of the Porte. Again, in all the recent negotiations, though Russia had affected great moderation, she had accompanied every proposal by a menace which rendered it absolutely impossible for Turkey to assent to it. The Berlin Memorandum was accompanied by a virtual threat of foreign occupation. Then there was the armistice. After Turkey had agreed to it, Russia thought fit to send an ultimatum. Was that anything like making peaceful advances? Again, when the Conference seemed about to lead to a peaceful settlement, what did Russia do? She mobilized the whole of her Army. Lastly, the Protocol was brought out as an instrument of peace; but lest it should do any good it was accompanied by an insolent Memorandum from Russia which rendered it impossible for Turkey to give way. Such proceedings would have been exasperating to any people; with the fanatical population of Turkey their effect was to render any peaceful arrangement out of the question. He believed Russia never meant peace from first to last. How strange it was to hear her spoken of as the Apostle of toleration! He would not speak of Poland or Turkestan; but certainly our experience of Russia was not calculated to recommend her as the friend of oppressed nationalities, or the advocate of religious freedom. He remembered reading an account of an open-air meeting of

students in St. Petersburg, demanding from Russia a Constitution similar to that which Turkey had given to her people. Eighteen persons were looking on and clapping their hands — 14 men and four women—and Russia sentenced these 18 persons to a punishment varying from two years' imprisonment to 15 years in Siberia. The hon. Member for Liskeard (Mr. Courtney) had spoken of the millions of Greeks in Turkey. Now, he had come a good deal into contact with Greeks in Turkey, and, bad as the Government in Turkey was, and bad as the despotism of Turkey was, they would ten thousand times rather come under the yoke of Turkey than under the yoke of Russia. A Greek had said to him—"The yoke of Turkey is made of wood, but the yoke of Russia is made of iron." He trusted we should never spend another penny or shed another drop of blood in support of Turkey; but there were interests which we were bound to maintain. He hoped these interests would not be attacked; but, if they were, we must be prepared at whatever cost to defend them. In that respect he believed Her Majesty's Government were acting in accordance with the views of the vast majority of the people of this country. For his own part, however, he had no fear of Russia invading India by the valley of the Euphrates and the Persian Gulf, and he thought that before she did, we should be able to give a pretty good account of her. He did not apprehend that our interests were threatened by any approach of Russia in that quarter. With regard to the Resolutions, he could not consider the first as separate from the others. He must take them together, and, inviting us to go to war for the purpose of coercing Turkey as they did, he should certainly vote against the proposal of the right hon. Gentleman the Member for Greenwich, and support the Amendment of his hon. Friend the Member for Christchurch (Sir H. Drummond Wolff).

MR. JACOB BRIGHT said, he rose to support views which had received very little support during the course of this debate. Those who had listened to the debate from the beginning would admit that there was something like a restless feeling in favour of intervention in the Eastern Question on both sides of the House. The Resolutions before the House were an indication that many Members of the Opposition were in favour of acting against Turkey, and the speeches that had been made on the other side of the House gave evidence that there were many Members who, in certain circumstances, would not object to act against Russia. In the midst of all this conflict of opinion he adhered to the view which he had long held in regard to foreign affairs. He was in favour of the rule of non-intervention in the disputes and wars of other countries. He did not see why they should hold such views generally, and then when a critical case arose, in which its application was of special importance and of great advantage to the country, that the principle should be dropped. He listened with pleasure and received instruction from the speech of the hon. Member for the Orkney Islands (Mr. Laing). There was one thing he was struck with in the course of his remarks. He told the House that he was not a sentimental politician, and that though he had had his sympathies during the progress of wars and territorial changes that had occurred during his life, he had been in favour of non-intervention. But he added that in this particular case he was in favour of intervention. He was sorry to hear that statement from the hon. Member, because he hoped that on that question his views coincided with his own. He did not mean to say that he would lay down the principle of non-intervention as an inflexible rule, from which under no conditions a country should deviate. He would have each case viewed by its own conditions. If it so happened that there had been a people separated from England only by a border line, who had suffered untold wrongs from generation to generation, and that this country had the power to intervene and offer protection, he, for one, would have been in favour of intervention. But the case before the House was wholly different. They were asked to intervene on behalf of a country which was thousands of miles away, near which we had no possessions, and which was not on the path to any of our possessions, which with its mixed populations, each with its own separate aim, offered the most difficult problem that ever confronted a statesman or conqueror. Again, Turkey had powerful neighbours in Russia and Austria, both ruling over a

race kindred to its own oppressed subjects. Germany, from its geographical position, could with a small effort exercise great influence in Turkey. Italy was a neighbour. France being a Mediterranean country was much nearer than ourselves. We were at the opposite end of the Continent. He maintained, therefore, that if a man who had held the doctrine of non-intervention all his life could abandon it in this instance, he might abandon it altogether. There was great sympathy not long ago in this country for Italy. When she was struggling for freedom, the right hon. Member for Greenwich took the same honourable course in regard to Italy as he had taken in regard to Turkey. He proclaimed her wrongs to the world, and employed his great influence to improve the condition of the country; but he did not recommend that England should go to war. He believed no responsible statesman in this country recommended that. We left Italy to herself and to the neighbouring nations, and no Member of the House would regret that they took such a course, or believed that the result would have been better if England had intervened. He could vote for the first two Resolutions in their amended form. Nothing would have induced him to vote for the last two. He dissented from them not on mere verbal grounds, but because, as a whole, they were a distinct proclamation of the doctrine of intervention. They assumed that it was wise and advantageous to enter upon a difficult and perilous enterprize in order to settle the affairs of another country. They were asked, as he understood it, to interfere with Turkey on two grounds—to protect our own interests and to protect the injured subjects of the Porte. But what were our interests in Turkey? No two men ever defined them alike. The excited men who sought to drive the Government into war said that changes in Turkey might interfere with the security of India; but the speech of the hon. Member for Orkney showed that the connection between India and Turkey was a political nightmare. We had, no doubt, interests in Turkey, as we had in every accessible spot on the world's surface; but we had no interests to justify a war. Then, with regard to the subjects of the Porte, as our presence had been a source of incalculable mischief to them the best service we could render them in the future was to cease to interfere. We had been acquiring during the last 20 years a habit of non-intervention. Wars of great magnitude and significance had occurred during those 20 years, and we had abstained from any kind of intervention, and would anyone say that it not been of great benefit to the country that we had so abstained? If we had intervened we should have extended both the area and the duration of war. Many hon. Members, he knew, looked with disdain upon the views he was expressing. The hon. Member for Hackney (Mr. Fawcett) spoke a short time ago with something like contempt of those who preached the doctrine of non-intervention in foreign affairs. He said that all which those who supported the doctrine cared for was the increase of exports and imports. Well, but exports and imports were of importance to a great part of the population of the country whose means of subsistence were more precarious than those of the hon. Member for Hackney, and exports and imports should, therefore, never be spoken of with contempt in the British House of Commons. The truth was that the people who preached non-intervention did not do so out of regard solely for the material interests of the country, but also, and mainly, for its moral and intellectual interests. They knew what was the condition of the people of this country at the beginning of the century, when we were plunged in constant war; how they were then ground down and neglected. The degradation and brutality which were still too often found in our population, had their origin in the intervention policy of past years. He believed there was nothing in history which would afford such a warning against interference with the affairs of other countries as the case of Turkey. They had made gigantic sacrifices for Turkey, and the result had been a gigantic failure. Forty thousand of our countrymen who had died or been killed in the very prime of their manhood, were now lying in Turkish graves. We had spent in war £100,000,000, or, in other words, we had sunk £5,000,000 a-year for ever—a sum nearly equal to our whole annual exports to Turkey. Later, influenced by those great authorities referred to with so much satisfaction by

[*Third Night.*]

the hon. Member for the Isle of Wight (Mr. Baillie Cochrane), we had lent the Sultan some scores of millions on his personal security. Our ablest diplomatists had been stationed at Constantinople, the country had been watched by our Consuls, and these gentlemen had furnished us with a mass of Blue Books, from which only one conclusion could be drawn. All these efforts, all these sacrifices had been useless; and yet on this very night in this House men on both sides were planning fresh schemes of intervention. The hon. Member for Liskeard (Mr. Courtney) was the only Member who had up to the present time adopted the Resolutions of the right hon. Gentleman the Member for Greenwich, and showed what they meant. It would be recollected that at the beginning of the Franco-German War seven men went heroically into the Lobby to vote against the right hon. Gentleman the Member for Greenwich, then at the head of the Government, because he purposed to go to some small expense on behalf of a meritorious little country like Belgium, close to our own shores; but now some of these hon. Gentlemen were ready to adopt the scheme of the hon. Member for Liskeard—a scheme of intervention so great and complicated, that nothing short of Providence could deal with it. We had failed in the affairs of Turkey, and had retired, acknowledging our impotence. Russia had taken our place. She understood the patient better than we did, and would undertake a course of treatment likely to be far more successful. He (Mr. Bright) was not in favour of war; but there were difficulties in the world so deep and tangled that nothing but war could solve them. He believed that nothing but war could solve this difficulty; and, seeing that war had begun, he hoped that it would not end until it had done much to limit the Ottoman Power. On the other side of the House the nerves of hon. Members seemed to be disturbed by the idea of Russia conquering Turkey, but that fear was illusory. Russia had prudence. Besides, even if she had not, the Powers in the neighbourhood had interests there, and would, in defending their own interests, defend also those of Europe. Nothing certainly could be worse in that part of Europe than what had been. Any change must be for the better. No doubt we had important interests in Egypt, and we could not allow the British Empire to be cut in two by a foreign occupation of that country, but there no one was likely to interfere with us. As to Constantinople and the Bosphorus, it appeared to him that if the Government would keep strictly to the view expressed by the Home Secretary, we should have little fear of war. The Government had tried to keep Europe at peace, and had failed. They must now keep England at peace, and if they succeeded they would receive great support, both in that House and in the country from both political Parties.

MR. FORSYTH said, that he agreed with the first and second Resolutions, and to a great degree with the third and fourth, but he should vote for the Amendment because it spoke of "Resolutions which may embarrass Her Majesty's Government," which he had no wish to do. If, however, the question was Aye or No as to the first two Resolutions, he would vote for them at all hazards, and whatever might be the consequence. He was quite aware of the position in which he stood; he did not expect much sympathy from his own side, and he did not ask it from the other. There was a war party in the country, and he feared in the House, but it was not the Party of the right hon. Member for Greenwich, for in all he had said and written there was not a word in favour of war against Turkey. Had Turkey been told at the Conference that Europe was determined to insist on concessions, Turkey would have yielded, and there would have been no war; but she was told beforehand that no force would be used, and that led to the failure of the Conference. There would have been no war, for it might be as well supposed that the Isle of Wight would resist England, Scotland, and Ireland, as that Turkey would resist the united action of Europe in arms. What was to be dreaded from the first, as Lord Augustus Loftus warned us last September, was the isolated action of any Power, and particularly of Russia. It was undoubtedly true that many hon. Members entertained feelings of bitter antagonism to Russia, which was manifested by cheers when charges were made against her, and was indicated by a Notice of Motion put on the Paper by his hon. and gallant Friend (Sir Charles Russell), with the object of

throwing obloquy on the gallant soldiers against whom he fought in the Crimea. The Notice was for an—

"Address for Copy of the Evidence taken before a Court of Inquiry at Sebastopol in November, 1854, with reference to the butchery by Russians of the English wounded whilst lying helpless on the ground."

Desperate efforts to drag us into war with Russia were being made by a portion of the Press. There was one journal which used to boast that it was written "by gentlemen for gentlemen," but from the raving style it had adopted lately, it seemed to be now written by maniacs for fools. Its favourite device was to represent the Ministry as divided into two hostile camps, and it spoke of a "Cabinet of Compromise." It said lately—

"To the fact that the Cabinet is a divided Cabinet we have not been more dull than Mr. Edward Jenkins, or the bloodthirsty philanthropists of *The Spectator*, or the priests, women, and foreigners who seem now to have all the writing in *The Times*."

It was said of Pericles that he was more Athenian than the Athenians, and some of these writers were more Ministerial than the Ministry. He would read a passage from a leading article in *The Daily Telegraph*—

"We must treat the matter in a business-like fashion; we must provide against the worst—the only safe course in war—determine that Russia shall not have the Straits, and settle, as speedily as may be, the naval and military plans calculated effectively to secure the execution of our will. These are the resolutions which it becomes England to take; and when peace shall again bless the world, we shall have ample time to think and talk about reforms in the name of justice and humanity."

If this did not look like war he did not know the meaning of the English language. The excuse for this was what was called a regard for "British interests;" but the writers displayed ignorance of, or indifference to, geography and the opinions of competent soldiers, statesmen, and writers. In addition to the authority of the Duke of Wellington and Lord Hardinge, which had been already quoted, he would cite the opinion of Lord Palmerston, then whom there was no man more jealous of Russian aggression, or more careful of the interests of England. Lord Palmerston said—

"Both Lord Hardinge and the Duke of Wellington seem to agree in thinking that the Russians cannot conquer India, and in this opinion they are clearly right."

Between Asia Minor and India lay the deserts of Mesopotamia, the kingdom of Persia, and the mountains and defiles of Afghanistan. And there would be the British Navy in the Persian Gulf and the British Army in the Punjab. Mackenzie's work on Russia showed that the intention of transferring the capital from the Neva to the Golden Horn was not seriously entertained by Russian statesmen; and, if the idea were entertained, those statesmen were not such fools as to encounter the resistance that would be provoked by the attempt to carry it out. If Russia were victorious she would probably retain Batoum, Kars, and Erzeroum, and rectify her Bessarabian frontier, but this would not threaten India. The Emperor had solemnly declared at Livadia that he had no intention of acquiring Constantinople, and that, if compelled to occupy Bulgaria, he would only do so provisionally. Could they, as English Gentlemen, believe that the Emperor of Russia would, in the face of all Europe, tell a deliberate lie? His right hon. Friend the Home Secretary had said the other night—"Let us see if the Emperor keeps his word!" [*Loud Ministerial cheers.*] He hoped he did not misinterpret those cheers. Did they mean that the Emperor did not intend to keep his word? [*Cheers.*] It certainly looked very like it. He, for one, would not accept that interpretation, and the conduct of Russia in 1829 was a precedent, for then she loyally kept her word. She had promised when she declared war that she would make no territorial acquisition. She conquered Moldavia, Wallachia, and Bulgaria, and at Adrianople had Turkey at her feet. But she gave back everything, and did not keep a foot of territory. Much had been said with reference to the agitation which had taken place in the Autumn; but what was the statement made the other evening by that eminently Conservative Nobleman the Duke of Rutland with regard to this subject? He said, instead of blaming the head of the late Government for the part he had taken in what was called the Autumn Crusade, they ought to thank him for being the means of showing what was the real feeling of the country. The Home Secretary, also, in alluding to the meetings

which then took place, said he should have been ashamed if they had not taken place. Had they, or had they not, changed their opinions on that subject? If they had changed their opinions, it was owing to these meetings. Why had he been almost hooted down by hon. Members on that side of the House some two months ago for having expressed an opinion similar to that of the Home Secretary? He rejoiced that those meetings had been held. They were a generous outburst of public opinion, and he was quite certain they had done a great deal of good both in this country and in Europe. He owed no political allegiance to the right hon. Gentleman the Member for Greenwich. [Here there was some interruption, and the hon. and learned Gentleman turned round and made a remark to the hon. Member who sat behind him.]

MR. GREENE: Sir, I must ask if the hon. and learned Member is in Order in addressing me?

MR. SPEAKER: I must point out to the hon. and learned Member that it is one of our Rules that every Member should address the Chair.

MR. FORSYTH said, he had been pained by the way in which the right hon. Gentleman the Member for Greenwich had been attacked. It had been said that he had been actuated in his efforts by a low desire to regain place and power; but he did not believe there was a man in the country who in his soul and conscience believed that to be true. The right hon. Gentleman would live in history when the vast majority of those who sat in that House would be utterly forgotten. Although he differed from him in many respects, and did not agree with him in all things, even on this question, he was glad of that occasion to do full justice publicly to the purity of his motives and the loftiness of his aims.

MR. LEVESON GOWER said, he should not follow the example of the hon. and learned Member for Marylebone (Mr. Forsyth) who, after approving of the Resolutions, had announced his intention to vote against them. He expressed the satisfaction with which he had heard the speech of the right hon. Gentleman the Home Secretary the other night. He did not agree with him entirely; but there were some portions of his address which he considered eminently satisfactory; and what pleased him most was the assurance he gave that the whole of his Colleagues entirely agreed with his sentiments. It was refreshing to hear from the benches opposite these manly denunciations of the atrocities of Turkey, and that full justice was at length done to those who had taken part in the autumnal meetings. He thanked his right hon. Friend the Member for Greenwich for bringing forward these Resolutions, and believed that they had elicited an expression of opinion from the country which was extremely serviceable. They had been told that the meetings had been got up by telegraph; if so, why had not hon. Members opposite also got up meetings in the same way to support their own particular views? Some hon. Members appeared to rejoice a few evenings ago at the prospect of a split amongst the Liberal Party on this subject, and the Members of the Government had certainly done their best to promote that split by consenting to the undignified course of meeting the Resolutions of his right hon. Friend the Member for Greenwich with "the Previous Question;" but he was very glad that the split which was apprehended had not taken place. He had had no difficulty, such as some hon. Gentlemen on that side of the House appeared to have, in supporting the Resolutions, which, he thought, did credit to their proposer. Since the war had actually broken out he had experienced great anxiety on this subject. Whenever he met a Conservative friend he was always told that England must go to war against Russia. ["Oh!"] He hardly knew an exception to what he now stated. Whenever, also, he took up a newspaper he read that it was the duty of this country to take up arms against the power ruled by the Czar. In short, in every possible way there was a wicked attempt made to excite the animosity of the people of England against Russia; and, that being so, there could be no doubt that there was some anxiety in our present position. It was with great satisfaction, therefore, that he heard the speech of the Home Secretary the other night; but the view of the case presented then for the first time by the right hon. Gentleman differed widely from what the House had previously heard from the bench opposite. For himself, he was not afraid of

Russia; but he thought that the hatred which it was endeavoured to excite against her was quite unjustifiable. There might be inconsistency in the conduct of Russia, but there were many other cases of inconsistency. For example, when the civil war was raging in America, there were many who sympathized with the South, and yet it would be most unfair to say that they were in favour of slavery. Therefore, it was most unfair to say that the feeling of the Russian people for those of their own race and religion was not genuine. It had been alleged over and over again—and he was sorry that the statement had been supported by Lord Derby—that it had all along been the intention of Russia, notwithstanding the negotiations in which she had engaged, to enter into hostilities. He had never, however, either heard or seen any proof in support of that assertion. It might be so; there might be ambition at work; but until distinct proof were brought forward he did not think that any hon. Member had a right to make such an allegation. And as to annexations, we ought to apply the same rule to Russia as to ourselves. What was our justification for the annexation of the Transvaal Republic? We were told that it was forced upon us, because that State was delivered over to anarchy, was rent by faction, was bankrupt, and because President Burgers had lost all influence over the Boers and was unable to effect the reforms he acknowledged to be necessary. The Russians might allege the same plea in justification of themselves. With regard to the Amendment of the hon. Member for Christchurch (Sir H. Drummond Wolff), which practically asked the House to place confidence in the Government, he should have been glad if, for himself, he had been able to do so. [*Laughter.*] Hon. Members might laugh; but he meant what he said. He was not actuated in this matter by Party motives. It would have been a source of satisfaction to him had he felt that there was a Minister at the Foreign Office upon whom implicit reliance could be placed. There was a time when he entertained a high opinion of Lord Derby's caution; but the noble Lord's proceedings in connection with this Eastern Question had entirely destroyed that confidence. He could not have confidence in a Foreign Minister who allowed this country for a month to believe that the British Fleet had been despatched to Besika Bay as a demonstration against Russia; who said what was tantamount to this—that he would not be guided by his own convictions, but by the opinion of the people whom he called his masters; who made the imprudent declaration with regard to the finances of Russia that they were so low that we need be under no apprehension of her going to war, and who had replied to the Russian Circular by writing a despatch, which was in direct contradiction to the policy pursued by our Representative at the Conference at Constantinople. For these reasons he could not support the Amendment of the hon. Member for Christchurch.

SIR ROBERT PEEL: Sir, however wide has been the difference of opinion in this debate, and the speeches of the hon. Members for Liskeard (Mr. Courtney) and Manchester (Mr. Jacob Bright) have shown that difference; however much I may differ from the conclusions which have been arrived at by the right hon. Gentleman the Member for Greenwich, as to the course which, in his opinion, ought to be followed by the Government in the present emergency, there is one point upon which all of us, whatever side of the House we sit upon, will agree—namely, that it is impossible to have listened to the speech of my right hon. Friend at the opening of the debate without being deeply impressed with the sincerity of his convictions and the earnestness of his appeal. My hon. Friend who has just resumed his seat and the hon. and learned Member for Marylebone (Mr. Forsyth) have referred to the meetings which have taken place in different parts of the country, and referred to them with some approval. I may therefore also take the liberty of expressing my opinion with regard to that agitation, and I am bound to say that I greatly regret the course which was taken by the right hon. Gentleman the Member for Greenwich. I think the agitation which, though it is unsuccessful, he has been the cause of creating in this country has been most mischievous. I think it has been most ungenerous on his part. I was in this House before the Crimean War, and I had a seat before the Franco-German War, and I well recollect what took place on both of those occasions. I re-

collect the forbearance of the Opposition, the kindness, the sympathy, even the anxiety of the Opposition to assist the Government. The same thing occurred before the Franco-German War. I sat upon these benches night after night in opposition to the Government of that day—the Government of the right hon. Gentleman the Member for Greenwich—and I recollect the appeals, private as well as public, made to many hon. Members imploring them not to excite the public mind by raising discussions respecting Belgium and Luxembourg. My late lamented right hon. Friend and Colleague, the late Sir Henry Bulwer, was in despair. He had a speech prepared for many days; but private communications were made to him imploring him not to incommode the Government, and I, who had more experience in the House probably than he, ventured to assure him that sooner or later, if he abstained, virtue would meet with its reward. I think that this agitation has been most unbecoming, and that at this critical time particularly it would have been better to have abstained from putting on the Paper these Resolutions. For what has been the effect of them? They have excited the public mind to a very considerable extent; and when we came down here to listen to them, and to oppose or support them, as the case might be, they were found, in the unanimous opinion of this House, to be so offensive that they were withdrawn. I am not overstating the case, they were found offensive and were withdrawn—and the hon. Member for Birmingham (Mr. Chamberlain), who made an excellent speech the other evening, said what was perfectly true, that, although two of the Resolutions had been withdrawn, two-thirds of the right hon. Gentleman's speech were directly in support of those Resolutions. Now, Sir, I come to my expression of regret that the right hon. Gentleman should have taken this course. I do not regret it on account of the Government. And why? Because if ever there was a Government who was prepared loyally to meet every question, to meet every representation, to give every explanation as to their policy and politics, it was the present Government. They have almost on every occasion courted inquiry. They were not like some Governments I have known during the last 25 years, shy in giving their opinions as to the state of affairs; but they have, in my opinion, loyally pursued a straightforward, above-board policy, having nothing to conceal, and have always been ready to give this House and the country all the information in their power. Therefore, it is not on account of the Government that I entertain any regret, neither is it on account of the Opposition. I certainly did feel a pang when I looked at the Opposition benches and saw the hungry wolves rushing into the fold and scattering the sheep without a shepherd. It is not, therefore, on the part of the Government or the Opposition that I regret the course pursued, but on account of the right hon. Gentleman himself. With the splendid position he occupied in the country, the patriotism which I really believe—which I know—animates his breast, I should have hoped that at a very critical and dangerous time like the present, sinking all considerations of Party, he would have given his powerful support to the councils of the country, irrespective of any Government. Instead of doing that, so far as I can learn, all that he has done—if the papers that generally support the Opposition are to be believed, and even *The Daily Telegraph*—all that he has done has been to divide his Party and to enter into closer communication with the Liberation Society. The hon. Member who spoke last said that these meetings have been very successful. No doubt; and the right hon. Gentleman says—"There have been 100 meetings in support of my policy, and the agitation is real and just." But what did they meet upon? Why, they met in favour of the four Resolutions. Therefore we must recollect that these meetings—unwisely got up—have all had before them a false issue. If he had stuck to the four Resolutions he might have alleged that he had the country at his back; but having withdrawn them he will find that his well-meant endeavour has missed fire. The result reminds me of two lines of a poet who formerly had a seat in this House, and who was a Member of the Government of the day—Mr. Croker—who, speaking of the position of the opposite Party of the time, said—

> "But while they prepared to defeat all their foes,
> Within their own camp civil discord arose;"

and what was said in 1815 may be said of the Opposition now—

> "That while they prepared the defeat of their foes,
> Within their own camp civil discord arose."

I come now to the question what the Resolution means in the opinion of the right hon. Gentleman, because there is a vast difference of opinion about it. He says that these Resolutions would include an alteration in the policy of Her Majesty's Government and that their position is ambiguous. No doubt a change of policy would be involved if the four Resolutions had been adopted, because they breathe war in every line, whilst the Government intend strict neutrality, and the country supports them in that policy. But the right hon. Gentleman means war and coercion. I recollect the speech of the hon. and learned Member for Sheffield (Mr. Roebuck); he spoke of a war of humanity, and said that the conclusion was that the Ministry should go to war, an opinion stated on the other side of the House as well as on this side. Then the right hon. Gentleman the Member for the University of London (Mr. Lowe) really treated the hon. and learned Member for Sheffield most unkindly, and was almost too severe upon him although he was a lawyer. He said that two lawyers had addressed the House, and had treated it like a common jury. Well, I hope he will not have to appear before a common jury for some time to come. How difficult it must be to understand what the Resolutions mean! One party says they mean war; another party says they mean peace; and another important section of the House says they mean nothing at all; and, so far as I can see, except that they are an accusation, against the Government, they really mean nothing at all. The right hon. Gentleman said the policy of the Government is ambiguous. ["Hear, hear!"] "Hear, hear!" is said on the other side; but are we in total ignorance of what foreign countries think of this ambiguity? Now, with the exception of Russia, who has broken away from the rest, France, Germany, Austria, and Italy, have a complete understanding with the British Government; and, moreover, they have expressed nothing about ambiguity in their policy, and are determined to support it. The Italian Minister stated distinctly that he was prepared to follow a policy of strict neutrality, and that until Italian interests were affected they would not interfere. In the German Chamber very much the same thing was said by one of the Ministers. Is there any ambiguity in the policy of Her Majesty's Government, when, with the exception of Russia, all the Great Powers of Europe agree with the policy of England? I can see no ambiguity in it. The only doubt which has been expressed against the policy of any Power had reference to Germany, and it was expressed the other day by an ex-Cabinet Minister, who, I think, ought to have known better, and who, but for the benevolent laws of this country, might have had to air his politics in a totally different atmosphere. The right hon. Gentleman the Member for the City of London (Mr. Goschen) addressed a meeting the other day in the City of London, when he spoke of the policy of Germany as "cynical." Anything more unfair could not have been said, particularly by an ex-Cabinet Minister, who may, perhaps, by some accident occupy the same position again, though I hope he will not until he reforms his manners. The right hon. Gentleman made use of that expression, and endeavoured to throw a slur on the policy of Germany, which Power had in this matter proved to be England's best ally. Then there is another ex-Cabinet Minister, who has no ambiguity at all on the policy of Her Majesty's Government. I allude to the Lord Warden of the Cinque Ports (Earl Granville), who on Monday last addressed a religious meeting. I think opulent sinecurists always appear to the best advantage at religious meetings. Well, the Lord Warden of the Cinque Ports, speaking at a meeting of the British and Foreign Bible Society, alluded to what he calls the Greenwich Resolutions. After having spoken lightly on different subjects, his Lordship brought out of his arsenal that fine old English gentleman "Civil and Religious Liberty." He told the meeting that although they might be in great minorities they must vote for the Greenwich Resolutions and "Civil and Religious Liberty." I should have thought he would have avoided the use of that hackneyed phrase, because whatever the Resolutions may mean there can be no difference of opinion in this House as to the meaning of the words

civil and religious liberty. The idea of Russia and civil and religious liberty! Russia, a civilizing Power! Russia, whose only interest it is to take care of the Christian Provinces of Turkey! It is urged that we must say nothing about Russia's past, but must confine our remarks to the present. I will say in the British House of Commons what I believe to be the truth about Russia's past and Russia's civil and religious liberty. I should like to learn from the Government whether there does not exist in the archives of the Foreign Office any record sent by our Ambassador at St. Petersburg of the number of persons—male, female, and children—who for no other offence than attachment to the Catholic faith have been sent, without justice and without trial, in chains and misery to the wilds of Siberia? And that is the Power we ought to associate with! Only the other day I was talking to a noble Pole, one who has suffered in his family from love of country, who told me that even now, since the commencement of this war, he knew through his family of cases where poor unhappy people were, solely on account of their religious faith, being sent to chains and misery in Siberia. Is that a Power with which after the Crimean War England should unite and fight against Turkey? No, I say; stand to your strict neutrality, and the country will support you. I am indignant to think, after all we have done in the Crimea, after all the losses we have sustained, and a war expenditure representing more than £5,000,000 a-year sacrificed in that struggle—perhaps wrongly—while the same generation is alive, that any one should suggest that England could unite with Russia in another war in the East. I will not tolerate such a thought, for I should conceive it to be the height of folly on the part of this country to attempt in any degree to unite with that Power, considering its doctrines, its policy, and its past. The hon. Gentleman the Member for Liskeard (Mr. Courtney) said that going to war involved no risk of danger, and he said to the Government—"You are keeping back the other Powers. They are ready to go forward." That, however, is a statement without a shadow of foundation as far as appears from the documents which have been presented to Parliament. We have kept back no foreign Power, and they have all said that they will act on the strictest principles of neutrality as long as their own interests were unaffected. Having alluded to that subject, I wish to come back to another. This discussion has extended over a wide field, and I wish to bring back the attention of the House to two speeches which were delivered from the bench opposite. One is the speech of the right hon. Member for Pontefract (Mr. Childers), and the other is the speech of my right hon. Friend the Member for the University of London (Mr. Lowe). I have a great affection for the latter right hon. Gentleman. My right hon. Friend said—"I have always held opinions identical with the spirit of the Resolutions. In my view our duty was not to interfere with Turkey in any way. Why, that is precisely the policy of the Government, which intends to maintain a strict neutrality. Then he proceeded to make a most violent attack upon the Government. In fact, his catalogue of epithets exceeds anything to be found in either of his two favourite authors—one or the other of which is quoted in every speech of his—Sydney Smith and Martin Tupper. My right hon. Friend's indictment was most severe; and I must admit honestly I thought the right hon. Gentleman was not quite as happy as I have seen him. I fancied I noticed an air of sadness about him; and I think that air of sadness come over him because it had not fallen to his lot, as it had on many occasions, but to the lot of the right hon. Gentleman the Member for Greenwich to divide the Liberal Party. Well, I was struck with the words which my right hon. Friend used against the Government. The House was not so full at that time as now, and therefore I will repeat some of them. They are—"Lamentable failure," "universal failure," "duplicity," "want of ability and care in negotiation," "carelessness and recklessness," "series of blunders and mistakes," "faults of temper and of judgment," "swagger and bravado." *The Times* spoke the other day of "crazy appeals to ignorance and passion," and I must say I think it was unfair for my right hon. Friend to apply to Her Majesty's Government the epithets I have just cited. My right hon. Friend is clever generally; but he is unfair. He said that Lord Beaconsfield's policy was

systematic friendliness to Turkey and persistent hostility to Russia, and that that policy is in direct contradiction to the policy of Lord Derby. I have read Lord Beaconsfield's speech at the Guildhall, and I find it to be a most temperate one. His Lordship said—

"We have believed that that peace would be best maintained by an observance of the Treaties in which all the Great Powers of Europe have joined. Those Treaties are not antique and dusty obsolete documents. In this very capital the Treaty of Paris was revised. It was revised and re-enacted under circumstances which made that re-enactment most solemn, and that Treaty lays it down as the best security for the peace of Europe that we should maintain the independence and territorial integrity of the Turkish Empire. That, then, has been our first object during the past year."

That is, in fairness, the quotation from the Guildhall speech, and the essential words contained in it were taken out of the revised Treaty of 1871, which was made by the Government of which the right hon. Gentleman who represents the University of London was a Member. The right hon. Gentleman has told us that the policy thus indicated is in direct contradiction to the policy of Lord Derby; but I contend that Lord Derby has said precisely the same thing when, in signing the Protocol, he stated that he did so solely in the interests of European peace. But the right hon. Gentleman went further, and, following the example of the right hon. Member for Pontefract, raked up the Bulgarian atrocities. The latter right hon. Gentleman said, as the hon. and gallant Admiral the Member for Stirlingshire (Admiral Sir William Edmonstone) will recollect—I allude to him because he cried "No" at the time—the right hon. Gentleman said he watched the expression on the countenance of those who sat on the Ministerial side of the House when the Secretary of State for the Home Department was expressing his abhorrence of those atrocities, and that they exhibited no signs of approval. What possible right had the right hon. Gentleman the Member for Pontefract in the present critical state of affairs—how worse than cruel—to speak in that way? I hold in my hand extracts from speeches made by Lord Derby on the 11th of September, 1876, by the Chancellor of the Exchequer on the 27th of the same month, and by Lord Carnarvon on the 3rd of October, and they one and all express themselves in the strongest terms in condemnation of the atrocities in Bulgaria. Lord Derby, in his despatch to Sir Henry Elliot, dated the 21st of September, says—

"No political considerations would justify the toleration of such acts; and one of the foremost conditions for the settlement of the questions now pending must be that ample reparation shall be afforded to the sufferers, and their future security guaranteed. . . . . Your Excellency will, in the name of the Queen and Her Majesty's Government, call for reparation and justice. . . . . Your Excellency will likewise urge that striking examples should be made on the spot of those who have connived at or taken part in the atrocities."—[*Turkey* No. 1 (1877), p. 238.]

For my own part, I entirely concur with the hon. Gentleman below me (Mr. Forsyth) that it is far better the House should not entertain these Resolutions of the right hon. Gentleman opposite, which may embarrass the action of the Government in the interests of peace, than that they should accept the opinion of others among us who appear to be in favour of war. The great object of the Resolutions was to divide the Government and the Party, and, that having failed, there has been an attempt to induce the Government to give some sort of pledge as to their future policy. They have, I am happy to say, failed to divide the Government, who, I hope, will not budge one inch beyond that strict neutrality to which they stand pledged. If they do not, I am sure they will be supported by the country. The interests of the nation are far too grave to admit of their making vague declarations of policy which the events of to-morrow may render nugatory. All that they have to do is to stand by their policy of strict neutrality, and not to interfere so long as British interests are not interfered with; and where is there an Englishman who would say that they ought not to interfere if those interests were imperilled? I believe they would be imperilled if a semi-barbarous Power like Russia were to be allowed to obtain a post on the banks of the Bosphorus. Such a thing may not be likely to happen to-day, or to-morrow, or next year; but if once there they would become a source of peril to this country if the unaided forces of Turkey were unable to battle with Muscovite aggression. What we should do, then, I maintain, is to be on our guard. We have to look

to ourselves and to British interests; to England's past fame and her future position; to the maintenance of the *prestige* of our power, which would be greatly affected if the hordes of Russia were permitted to advance on the high road that leads to Constantinople. It is very easy to drift into war; but we expect better things from the present Government. It is very easy to drift into war; but if war should come, we shall, I am sure, exhibit all the pristine valour of our race, and our forces by land and sea will emulate the illustrious annals of the past. I look, however, to a better result from the conduct of the Government under the direction of Lord Beaconsfield and Lord Derby. The right hon. Gentleman the Member for the University of London has told us that he spoke as an outsider, and that, speaking as an outsider, he condemns what he calls the duplicity of the Government, its recklessness, and its carelessness. I also, speaking as an outsider, without any Party or even political ambition beyond that which every man in this House must have who is anxious to serve his country at any sacrifice if perils should encircle the country, must say that the Government of Lord Beaconsfield and Lord Derby, instead of having rendered themselves open to those attacks—those crazy attacks, or as the hon. and learned Member for Sheffield calls them, those pettifogging attacks—have, in my opinion, entitled themselves to the thanks of this House, and will secure to themselves, I feel sure, the gratitude of the country. "Carelessness," "recklessness," "duplicity," "swagger," "bravado"—were ignoble words to apply to any Government, and which certainly ought not to be the language applied to a Government which is the foremost in the world in a crisis like the present. It is not by the use of such epithets, but by the wisdom, judgment, discretion, and forbearance of the Government that this country has been placed on a higher pedestal in the eyes of the world than it has occupied for many years. Continue that policy; the voice of Parliament will be with you, and the sentiment of the country will sustain you. For what is that policy? It is a policy based upon principles which have made the nations of Europe say of us that which was once said of the most illustrious people of ancient times, when, leaving the Land of Egypt to take possession of the Promised Land, they extorted even from their enemies that more splendid eulogy than any that stands recorded in the classic annals of Greece and Rome—when those enemies exclaimed even in the bitterness of their souls—"Surely this great nation is a wise and understanding people."

MR. W. E. FORSTER: There is one remark of the right hon. Baronet with which I entirely agree. It is easy, as he says, to drift into war; and I am glad to believe that, whatever else may be the result of this long debate, it will not be so easy for the Government to drift into war at the end of this week as it was before. I greatly enjoyed the speech of the right hon. Gentleman. It came as a most refreshing interlude in our debate; but it placed me in this difficulty, that as it was my hard fate to reply to it, I was looking out for something to reply to, but could find nothing. With all the right hon. Gentleman's eloquence and amusing illustrations, he did not make one remark about the actual question before us. He said the Gentlemen on this side are hungry wolves without a shepherd. We may be hungry, and we may be wolves, but in that case it is not likely we should want a shepherd.

SIR ROBERT PEEL: I beg the right hon. Gentleman's pardon. What I said was that hungry wolves had broken into the fold and scattered the sheep without a shepherd.

MR. W. E. FORSTER: Those who break into the fold are those without it, and those who are without our fold are the Gentlemen on the opposite side. The right hon. Gentleman referred to a speech delivered by the Lord Warden of the Cinque Ports at some religious meeting as he termed it—which, however, I suppose was a meeting of the licensed victuallers—and he says that he spoke in favour of civil and religious liberty. But that is not the question before us. That question is whether or not Turkey has a claim on England for moral and material support. He said that there are three classes of opinion with regard to the Resolutions—that some think that they mean something—[An hon. MEMBER: "War!"]—others that they mean little, and others that they mean nothing at all. The right hon. Gentleman

must believe that they mean nothing at all, for he said nothing about them. The hon. Gentleman who moved the Amendment (Sir H. Drummond Wolff) says he did so because the Resolutions might be embarrassing to the Government, but he made no attempt to prove how they could be so in any way. The objections urged against the Resolutions are contradictory in themselves. They are called truisms, and the hon. and gallant Member for Berkshire (Colonel Loyd-Lindsay), when he heard that the House would be asked merely to vote for the first two Resolutions, jumped up and said everybody was agreed to them, and he called upon the Government to support them. Many hon. Gentlemen object that the two Resolutions are incomplete, inasmuch as they imply agreement with the third and fourth Resolutions, which my right hon. Friend (Mr. Gladstone) does not intend to put to the House. If they are truisms they cannot be embarrassing or incomplete. But I grant that if they are incomplete, and if it is necessary to their meaning that they should imply concurrence with the third and fourth Resolutions, it would be unadvisable to pass them. Not only so, but it would be cowardly on the part of those who advocate the stronger Resolutions; while it would be dishonest on the part of those who are not prepared to vote for the latter to vote for the first two. I admit that I should be reluctant to vote for the first Resolution if it were to be put by itself. I should be still more reluctant to vote for the second Resolution, without the Amendment suggested by the hon. Member for the Border Burghs (Mr. Trevelyan). I do not think the House of Commons ought to censure any foreign Government unless it were prepared to take ulterior steps. There is not, I believe, a man in this House who does not believe that Turkey has behaved badly; but, notwithstanding that fact, I think it would be undignified and uncalled for on the part of the House of Commons to take the exceptional course of censuring a foreign Power, unless we had made up our minds to act upon our resolution; and I admit that it would be with reluctance I should have voted for the second Resolution as it was originally drawn. My right hon. Friend the Member for Greenwich originally so worded it that he looked to the possibility of Turkey again being able to have a claim upon England for moral or material support in the war in which she is now engaged. My opinion is that Turkey has brought the war upon herself, and that it is too late for her to look to us for either moral or material support. But, taking the first two Resolutions by themselves, and supposing that the third and fourth had never existed, I ask the House is there any sufficient reason for adopting them? The second Resolution is a result and consequence of the first. Taking, then, the second Resolution, as amended, I ask, has Turkey had at any time a claim upon us for moral or material support, and if she had, has she forfeited that claim? I think she had such a claim. The Crimean War, the Treaty of 1856, and the conduct of the British Government since that time have given her the claim which the protected has upon the protector. Let us suppose that Turkey, instead of doing her worst had for the last 25 years done her best, that the expectations of Lord Palmerston had been fulfilled, and that the promised reforms had been carried out. Can anyone deny that in that case she would in her present danger have a claim upon us for support which we would be bound to admit? Well, has the claim been forfeited? I do not think I need dwell upon that. The conduct of Turkey during the last two years has forfeited it. Lord Derby, at the end of last year, told her that unless there was an immediate cessation of the atrocities and punishment of their perpetrators he could not answer for the consequences of the indignation of England and of Europe. The right hon. Baronet has quoted those words, and I need not refer to the statement of Lord Salisbury at the close of the Conference. Well, then, if there has been that forfeiture, how can it be embarrassing to Her Majesty's Government that the House should affirm their acts, and say, as the Ministry have said over and over again, that this old Ally of ours has forfeited her claim to our moral or material support? I should have said that instead of embarrassing them, such a Resolution would have strengthened their hands. Well, the right hon. Baronet seemed to think that British interests were involved in these Resolutions, and other right hon. and hon. Gentlemen appeared to agree with him.

[*Third Night.*]

How can those interests be affected by the statement that Turkey has forfeited all claim to our moral or material support? That has nothing whatever to do with any question relating to our interests. If there are general reasons for passing these Resolutions—and I think there are—I confess it appears to me that there is a special reason also. That special reason is the last act of the Government, and the last step they have taken. I am not going to enter into a history of the past. Although I disapprove of much that Lord Derby has done, I am not at all sure that anyone else would have done very much better. His difficulties have been great. Not only is this Eastern Question one of the most difficult with which Europe has had to deal—and we ought to put the most generous construction on the actions of any Minister in such circumstances—but it is not only with the Eastern Question Lord Derby has had to deal; he has had to deal also with Western questions of the gravest importance. I grant that his difficulties have been increased by the necessity, which has arisen, of changing the policy of England. I will not say that previous Governments have not been implicated in the transactions which have caused a change in the policy which did mean support of Turkey; but the fact remains that Lord Derby has been driven into this change by the general feeling of the country. Nor do I think Lord Derby's difficulties have been decreased by the speeches of the Prime Minister; but as the noble Lord is no longer a Member of this House—a fact we all regret—I will not further allude to the speeches which he has made on the question. I wish, however, to state the grounds on which I exceedingly regret the reply of England to Prince Gortchakoff's last despatch. I agree with my right hon. Friend the Member for Pontefract (Mr. Childers) that the Government should give us reasons why they, of all the Powers of Europe, felt it necessary to reply to that Circular. The right hon. Baronet said —and that was the one remark in his speech which had any bearing upon the real question—he was perfectly sure that the present policy of the Government has the confidence of the other Powers in Europe, with the exception of Russia. It is very pleasant to have that assurance, and I only wish the right hon. Baronet had given us grounds for that belief; but it rather shakes his assurance when we find that no other Power has answered that Circular. But, supposing the Government to have thought it necessary to reply to it, why could not the answer have been confined to a mere disavowal of Prince Gortchakoff's statement that war was declared in order to carry out the views of England and the other Powers? Instead of this, the arguments contained in the reply are, to my mind, inconclusive, founded upon false assumptions, and, to some extent, dangerous. There is one statement, indeed, contained in the answer which is contradictory of the Government policy, and it is an expression of belief in the good faith of Turkey. I should suppose from Lord Derby's despatch—and I should like to be informed if the contrary is the fact—that the Government believes in the new Turkish Constitution. But there is also a statement that the Government believe an entry upon Turkish soil by Russian troops will not improve the condition of the Christian population in Turkey. Now, there may be very great evils in the invasion of Turkey by Russia. I have no doubt great misery will follow from that war; but I am surprised that any Minister, knowing the facts, should state that the condition of the Christian population will not eventually be improved by the Russian invasion if it should prove successful. Take Bulgaria, for instance. We may dislike, for many reasons, that Bulgaria should become Russian. I do not, for my part, think there is the slightest danger of that. We may dislike the idea that Bulgaria may become an autonomous State under the protection of Russia; but does anyone who has studied the question doubt that if Bulgaria was taken over from Turkey, and made an autonomous State, the condition of the Bulgarian population would not be changed infinitely for the better? Looking to the theatre of war, I find that the Russian armies are now in Turkish Armenia, and from all I have been able to learn I should say that the inhabitants of Russian Armenia occupy a very much better position, social, moral, and religious, than those in whose country the Russian troops are now operating. Lord Derby, in a despatch to Mr. Jocelyn written last month, reported an interview he had had with [illegible]

'asha, and in that interview he warned he representative of the Sultan that in he event of a war, and the Russian rms being successful, Turkey would not nerely lose one or two Provinces, but he Ottoman Empire might cease to exist. Whatever else might follow, there an, I think, be no doubt that such result from Russian success would produce m improvement in the condition of the present Christian subjects of the Porte. There are two other objections which I ave to make to the reply of the Foreign Secretary. One is that it is a very strong statement to make that Russia, by the declaration of war, has been guilty of a contravention of the Treaty of Paris. That is a very strong thing, indeed, for our Government to say to the Government of another country which is our Ally. If it be true that Russia, by declaring war, has broken the Treaty of Paris, warning should have been given to her officially and publicly that such would be the effect of her act long ago—at least as early as the close of the Conference. I am not going to enter into the question whether it was or was not wise on our part to tell the Turks that no coercion would be used towards them either by ourselves or by the rest of Europe; but the only screw that was put upon Turkey was to tell her—"If Russia goes to war with you because you don't effect the reforms she demands, we won't support you." Russia and Turkey were both informed that if the latter did not yield it was expected that the former would declare war against her, and Russia has a right to complain that we did not then tell her that by so doing she would be breaking the Treaty of Paris. It might be said that Russia ought to have remembered the Article in that Treaty under which she was bound to require the mediation of the other Powers before going to war. During the Conference it was generally supposed, especially by the newspapers supporting the policy of the Government, that one of the great purposes of the Conference was this mediation, and because it had failed by the action of Turkey it was not to be supposed that it was not to be considered to be the exercise of the right of mediation; but I should like to know whether, if Turkey had asked for mediation under that Article that the British Government, or any other Government, would not have thought it right to grant the request; and if that were so, why come forward and charge Russia with actual breach of that Article? The next passage in the despatch is a complaint against the Emperor of Russia because he has separated himself from the European concert hitherto maintained. I am not here to defend Russia, nor should I have made any remark upon the point but for this despatch; but I ask the House candidly to consider whether Russia is greatly to be blamed for not maintaining this European concert? She would, undoubtedly, be much to blame if that concert was a reality, but not if it was a sham. Well, it was a sham. It became a sham in consequence of the determination of the Conference not being enforced, which gave Russia the right to say that she had no faith in European concert. Then came these very strong words in the reply of the Foreign Secretary—"It is impossible to foresee the consequences," &c. Undoubtedly it is impossible to foresee what may be the consequences of this war; but the noble Lord the Postmaster General must be aware of what is the meaning of diplomatic phraseology; and it is a very serious thing, indeed, when a friendly Power is informed that, having broken a Treaty, it is impossible to foresee the consequences. No wonder that the funds fell on every Stock Exchange in Europe on that reply being made public. No wonder that the newspapers throughout Europe almost all supposed that it meant some danger of war between Russia and England. And I must confess that the fear there is in this country of war would have been greatly increased if that despatch had been left by itself. A good deal has been said with reference to the recent agitation in this country on this question. The feeling which lay behind that agitation has been very much the determination to preserve our neutrality—not, as has been suggested, to drive us into war. There is but a small minority who would go so far as that; but there has been a great fear that we should drift into war, and that we should drift into war on the wrong side on a mistaken notion that our interests were threatened—and that fear would have been greatly increased by this reply if it stood alone. But we have had the advantage in the course of this debate of

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hearing the declarations of the Home Secretary, which will do much to allay that fear. We must remember what we have read day after day in the newspapers. I am not going to hold the Government responsible for everything that appears in the newspapers which are in the interest of their Party; but I must remind the House that the Government have never contradicted the statements which have appeared in those journals, and I cannot help attaching some weight to the opinions which are constantly being expressed in them that our interests are threatened—not in Egypt, not on the Bosphorus—but on some mountain in Asia Minor or other distant post. There is a fear expressed lest Russia should come down the Euphrates or take possession of some of the head waters of that river, or endanger our interests by getting some possible access to the Persian Gulf. The hon. Member for Wick (Mr. Laing) has exposed the fallacy of those fears; but we do want an official definition of British interests, and I am delighted that we had the definition which was given by the Home Secretary. Then we have heard a good deal about the danger of Russia getting possession of Batoum; but our interests in that quarter have not been defined very clearly. The Home Secretary gave some definition of our interests in connection with the Suez Canal, and said that we could not allow Egypt to be possessed by any Continental Power. With that I agree; but we must recollect that there might be great difficulties in that matter, and that there must be some forbearance shown towards Russia if she is to be considered as having the rights of a belligerent Power. Egypt is nominally a part of Turkey. Egypt is performing her duty as a part of Turkey. There are Egyptian troops in Turkey ready to fight for her against the armies of the Czar. Egypt is therefore at war with Russia, and though I entirely agree with the right hon. Gentleman that England must protest, and get Europe to protest, against Russia making an attack upon Egypt, I do not suppose for a moment that Her Majesty's Government deny that some forbearance to Russia will be required. The possibility of Russia getting to Constantinople has affected the minds of people in this country as a red rag excites a bull. I was delighted to find the words with which the Home Secretary treated that fear. He said Egypt and the Suez Canal were European interests as well as English; but I think he gave us the impression that they were pre-eminently English. When he came to Constantinople I think he did not give us that impression, and in that I think he was quite right. For my part, I should be sorry to see Constantinople in the hands of Russia. I believe that the Greeks will regain their lost inheritance, and I should be sorry to see religious liberty exposed to the danger which would arise if Russia were master of Constantinople. If I come to British interests, I do not say they are not affected, but they are less affected than the interests of other countries in Europe. Prince Bismarck said recently—"This is not any business of ours; not a single Pomeranian shall lose his life about this question." Why did he say so? Because he hoped that England would do the work for him as she did in the Crimean War for Prussia and Austria. It is, however, a matter of very great interest to Germany—even to powerful Germany, leading Europe as at this moment she does—that she should not be between France and a much more powerful Russia. Depend upon it, Prince Bismarck knows that it is the interest of Germany, and will take care that Russia shall not be at Constantinople. Let us join in the protest, but let us not fear. Russia has no more intention of running the risk and danger of affronting Europe and Germany by getting Constantinople than she has of marching at once to Calcutta. When an endeavour is made to drag us into all the costs and dangers of war, I do not say by the Government, but by some of their supporters—and a war on the wrong side—I am glad the Home Secretary has done his best to dispel that illusion. There is another matter for which I thank the Home Secretary. He made a declaration which has received the assent of almost every Member that has spoken, except, perhaps, my hon. Friend the Member for Liskeard (Mr. Courtney), and that is the declaration of absolute neutrality between Russia and Turkey. I sympathize with that view. It is because I have that feeling so strongly that I should not be able to vote for the third and fourth Resolutions of my right hon. Friend (Mr.

Gladstone) if he had intended to move them. I know it is late; but I feel it would hardly be honest for me to sit down without stating distinctly the grounds on which I could not have supported him. I think the fourth Resolution would have been understood by Russia, by Turkey, by Europe, to have been a declaration of opinion by this House that Russia ought to be assisted in this war, and that it would have been in effect a breach of neutrality. Let me say one word as to Resolutions passed by this House. We must not treat them as mere indications of our feelings. They are orders given by the most powerful body in the State to the Ministers of State to carry out a certain policy — in this case on a European question of immense importance. I am quite aware that my right hon. Friend has tried to guard against this result by saying that it would promote a concert of European Powers in exacting these reforms; but in his most eloquent, most argumentative speech he did not tell us his reasons for believing that there was at this time any chance of that concerted action. It seems to me that this Resolution does imply that we ask Europe to assist Russia in exacting reforms in Turkey. I am not prepared now to make that appeal to Europe. Nor am I now prepared while this war is going on to ask the House to affirm the third Resolution, and for this reason—because I am not prepared to attempt to pledge the House to a policy at the close of that war. In regard, for instance, to the Bosnians, I share the desire of my right hon. Friend. I wish that they should have the glories of their ancient rule restored; for they have a history. But we must remember the position of Austria; and I do not want to pledge myself to the proposition that Bosnia is not to become Austrian. Then, again, I do not suppose my right hon. Friend means to imply that we are to pledge ourselves that the power of Greece is not to be re-instated in Constantinople. I may be thought somewhat inconsistent; but I am not now prepared to make this appeal to Europe to assist Russia or to pledge the House as to the conditions at the end of the war. But before the war was declared there was no policy that I should have more earnestly advocated. I wish my right hon. Friend had been able—there were reasons why he could not—to bring forward this Resolution at any time before the war was declared. My noble Friend the Leader of the Opposition here, and the Leader of our Party in the other House, hinted strongly at European coercion at the very opening of the Session, and I wish the same manifestations of support which are now given had been given to us then. I am not sure that we acted wisely in not pressing that policy. But let me say in self-defence that we most reluctantly came to that conclusion. It was no fear of being beaten in this House; no fear of any disgrace or discomfiture to our Party that influenced us. Our sole fear was that we should do harm to the cause we cared about in pledging the House, as we thought we should do, against a policy which we had still some hope that the Government might themselves entertain. I deeply regret that the Government themselves did not carry out the policy of calling upon Europe to put pressure upon Turkey—to keep up its concert for that purpose; with coercion, if necessary, for that end. I differ from my hon. Friend the Member for Huddersfield (Mr. Leatham) and some other Gentlemen in their opinions upon that matter; and I want to state very shortly the grounds on which I should have been in favour of applying European pressure, and, if necessary, coercion. There are two great schools of opinion on the Eastern Question. There are those who still believe in the possible regeneration or reform of Turkey by itself. They still have the hope which Lord Palmerston expressed some 25 years ago—that there was power in the Ottoman Porte to perform the duties of a civilized Government. One great advocate of that doctrine—the hon. Member for Canterbury (Mr. Butler-Johnstone)—is not now in his place. I believe that its adherents are a minority in this House, that they are a still smaller minority in the Cabinet—to judge from the utterances of its Members, and that they are a very small minority, indeed, in the country. Hon. Members generally, and almost all who pay attention to the matter out-of-doors, have, I believe, given up that hope, and have lost faith in the power of Turkey to regenerate herself. But great differences of opinion yet exist as to how the necessary change is to be made.

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We know that while Turkish misrule lasts the East will not be pacified. I was in favour of using European pressure, and, if necessary, coercion, because that seemed to me the best mode of giving some hope to the oppressed Christians, and the sole means of preventing war and of pacifying the East without war. And why do I say this? Some Gentlemen have stated—what has often been stated before—that Russia got up the Bulgarian atrocities, and I suppose some would add, also Turkish repudiation. Now I am not going into the question of whether Russia has made use of Turkish misrule for her own purposes; but I say that that misrule existed and still exists, and that as long as it does exist the East cannot be pacified. I believe it cannot be terminated except by pressure. There are four kinds of pressure which might have been applied. England might have acted by herself; Russia might act by herself; England might have joined Russia; and, lastly, the European Powers might have acted in concert. Well, I have never been in favour of England acting by herself or of her joining Russia. We owe duties to our own enormous Empire and to Europe, and there would have been great danger to the peace of Europe if we had waged war against Turkey or joined any other Power in doing so. The danger is great now from what Russia has done; but it would have been greater in the case I am supposing. We must not imagine that other nations look at these matters in the same way as the right hon. Gentleman or other hon. Members. They look at them from the point of view of their own interest. The union between Austria and Hungary has hardly yet been confirmed; the wounds inflicted between Germany and France are not yet healed; and it would not have been wise of our Government or of any Government to incur the responsibility of drawing the sword even in so good a cause as that of aiding the oppressed subjects of the Porte, considering the present position of Europe. But had there been European concert the danger would have been minimized. I think that concert has been possible. It was possible at the time of the Andrassy Letter, at the time of the Berlin Memorandum, and especially at the time of the Conference. I deeply regret that Her Majesty's Government did not advocate that policy, because I believe the Porte would have yielded to the pressure of united Europe; but I am quite aware there would have been danger attending it. We could not have made a threat of war without being prepared to carry it into effect; and even though Turkey had yielded, there would have been danger in a partnership with the other Powers in interference in her internal government. I am not surprised the Government felt that danger; but the danger attending this war is still greater, and it would have been better if they had run the risk. Now, however, that war has begun, the circumstances of the case, as it seems to me, are completely altered. My right hon. Friend the Member for Greenwich alludes in his Resolutions to the Protocol of 1826. But that is not a parallel case. The European concert for establishing the independence of Greece was arrived at six months before the declaration of war by Russia, and by the time war broke out Mr. Canning was dead. My right hon. Friend proved the sincerity of his opinions by the eloquent appeal with which his speech concluded—an appeal which will be read as long as our Parliamentary history endures, and which thrilled not only this House, but the country at large. But the right hon. Gentleman prefaced that magnificent appeal with some words with which I could not entirely agree. He said there were two mighty controversies—the controversy between Russia and Turkey, and the controversy between Turkey and her revolted subjects, and that, in his opinion, the latter was the deeper and more important. Certainly, the controversy between Turkey and her revolted subjects is that which most excites our sympathies, but to my mind it cannot be deemed the most important. There is no denying that, however mixed the motives may be which have led to it, this war between two great Empires is one of intense importance. It is a war between two races and between two religions; and it is a war which is certain to be waged with intensity and vigour. It is a fearful war. A settlement of the question by means of a concert of the Great Powers might have been possible before war was declared; but it seems to me that under the actual circumstances we are driven into a position of neutrality, and must be content

to wait till some opportunity of mediation presents itself. We must stand by and see this war fought out unless we are either prepared to overwhelm Turkey by joining Russia or to call upon Russia to stop, in order that Europe may interfere. Turning to the two Resolutions before us, it seems to me that the Government ought to welcome them. They will, no doubt, be rejected by the House by a considerable majority; but, however great may be the majority by which they may be so rejected, there will be no majority, I am sure, in the country or in the House against their real spirit. I believe that on both sides of the House, deeply as we have been excited about this question, and whatever may have been our prepossessions, there is really a general concurrence of opinion. I believe that an enormous majority in this House and in the country are in favour of absolute neutrality as between Turkey and Russia. I believe we are all of us determined to protect British interests, should those interests be really menaced and imperilled. I believe a large majority of us are also determined that we will not sacrifice the money of our constituents or the blood of our soldiers in waging a war under the influence of mere fanciful fears. I think I am not wrong in claiming the concurrence of the Government and of Members who support them when I say that we do not forget that England has a duty as well as an interest; and that the best and truest way to promote her interest is to perform her duty. It will be the duty of the Government to use the influence of the British Crown as far as possible in the direction of mediation, whenever mediation may seem practicable. If the war comes to an end by a destruction—which is possible—of the Ottoman Government in the disturbed Provinces, it will be the duty of Her Majesty's Government to do their utmost to secure the future well-being of the Christian population. If, as is also possible, peace should soon be made, in consequence of Russia obtaining a success which would enable her to dictate terms, then it will be for England to see that such terms are secured as would lead to that improved government of the Christian subjects of the Porte which we all desire to see, and without which I believe a permanent peace is impossible.

COLONEL LOYD LINDSAY said, he hoped that after these debates the noble Lord the Leader of the Opposition would resume the Leadership. The noble Lord was wrong in disclaiming compliments from the Ministerial side of the House, for it would be to his personal advantage and to that of the country also that he should possess in some degree the confidence of those who were opposed to him. What the noble Lord said a month ago, that the sword, and the sword only, could clear away this Eastern Question, was equally true now. At the end of last Session there were those who said it was evident Russia was menacing Turkey, and events had justified their predictions of aggression. Three generations of Russian statesmen had been steadily pursuing the determination to seize the Black Sea and the countries that surround it, always under the plea of obtaining redress for the oppressed Christian subjects of the Porte. Fifty years ago the Duke of Wellington in a letter to Lord Aberdeen said it made him sick to hear of the Czar's desire for peace, which he could secure by offering reasonable terms to Turkey; but he was looking to the conquest and plunder of Constantinople. The events of that time were similar to the events of this. In 1854 Nicholas determined upon a great effort to overwhelm Turkey, which was defeated with our aid. After the Crimean War we were represented at Constantinople by an Ambassador of great firmness. Why was it, with Turkey in our hands, and with such a Minister at Constantinople, we did nothing to put the Turkish house in order? If that had been done the things which we had so much lamented might have been prevented. Nothing, however, had been done, and now these difficulties were upon us. It had been said that circumstances now were very different; but to him they seemed to be very similar to what they had been in 1828 and 1854. The present Emperor of Russia was a more peaceful man than Nicholas; but, unfortunately, all the acquisitions of territory had been made under this peaceful Emperor rather than under Nicholas, and all those acquisitions had been made by the sword. A traveller describing his recent visit to Central Asia said that the recent advances of Russia were marked by the gibbet and the sword. All that, it was said, was

of no consequence; but he believed the present attack on Turkey would raise a very great feeling of sympathy throughout the country in favour of the Turks. The English Government had encountered great difficulties, and they had endeavoured to do three things—to preserve the peace of Europe, to keep the Russians out of Turkey, and, as far as they could, to improve the condition of the Christian population of Turkey; but in not one of these things had they received any support whatever from the other Great Powers of Europe. The policy of neutrality proclaimed by England was completely understood by the other Powers; but not a finger had been raised by any Power in Europe to give us any assistance in preserving the peace of Europe. Her Majesty's Government had a very difficult task in dealing with Russia. They had been perfectly willing to attribute no evil to a people with whom we were in friendly alliance, and he entirely disagreed with those hon. Members who said that the Government had shown hostility to Russia. On the contrary, the most generous construction had been put upon what had been done by Russia; he would go further and say that Her Majesty's Government had not been always politic in what they had done, because in the exercise of their discretion they had sometimes kept back despatches which, if given to the country, would have raised a strong counter feeling in England to that which had been raised against Turkey. But there were qualities even higher than generosity; they were truth and justice, and they compelled him to declare that the action of Russia towards Turkey had been marked by great duplicity. Was it not set forth in the despatches of Mr. Baring, and was it not perfectly well known that during the whole time the Russian Ambassador was at the Porte he was intriguing, or if not himself those who were closely associated with him were intriguing, to excite insurrection in Bulgaria? The right hon. Member for Greenwich (Mr. Gladstone) said he had read the whole of the despatches and could not discover any such intrigues. But had the right hon. Gentleman read the despatches in which it was stated that the Russian Consul at Philippopolis was instrumental in exciting rebellion, and would anyone believe that the Russian Consul in that town was not in close connection with the Russian Ambassador? The Russian Ambassador, who was protected by the laws of hospitality, was all the time he was at Constantinople engaged in raising insurrection, or his Colleagues were. As to the right hon. Gentleman's query, how it happened that the rebellion in Bulgaria had been put down by Bashi-Bazouks? if it were not so late he would bring evidence to prove that it was because the Russian Ambassador had declared that it was so trifling a matter that it was not necessary to use regular troops. When so much blame was thrown on the Turkish authorities, it ought to be remembered that some portion of the blame ought to be borne by those who had influence at the Porte preventing the regular troops from going to put down the atrocities. With reference to the despatch in which Lord Derby dealt with the punishment of the perpertators of the cruelties in Bulgaria, he could only remark that the rebellion was no doubt a most serious one, and that its success would have been fatal to Turkey. And it was also to be remembered that the offenders acted under the influence of terror and without the knowledge of the authorities. Besides, the Duke of Wellington, in one of his despatches from the Peninsula, said that it was wholly impossible to control troops moving in detachments. If English Generals were unable to control detached troops, we ought to put a charitable construction on the conduct of the Turkish Commanders and to assume that they were not responsible for the atrocities committed in Bulgaria. It would, indeed, be a great stretch of power if the Turkish Government were to punish the men who had saved the Ottoman Empire from a grave calamity and almost certain destruction. He concurred in Mr. Canning's opinion, that England ought to maintain an undeviating neutrality when nothing occurred injurious to her interests and her honour. The hon. and gallant Gentleman concluded by expressing a hope that the policy adopted by Her Majesty's Government would receive the approbation of both sides of the House, as it was most essential that the country should be united on so important a question.

CAPTAIN NOLAN confessed that when the information of the atrocities in the Turkish Provinces reached this country

his sympathies were strongly against the Turks. But since that time new elements had been introduced into the Eastern Question, and it was no longer a question of merely punishing the perpetrators of those atrocities. An enormous Army had been thrown across the Turkish frontier, and Reports had been published from our Consul at Warsaw regarding the behaviour of Russia to a large class of Catholics residing within her Empire. Under those circumstances, he asked himself where should his sympathies be? He knew that two blacks did not make one white; and, therefore, it might be said because Russia had acted wrongly were they to oppose her? But the true issue was, were they to give Russia increased power to make forcible conversions? Now Russia, if successful, would have the government of the Christians in Turkey. Those Christians were divided into four classes — first, the orthodox Greek Church, which had the Czar for its head; secondly, orthodox Greeks, in communion with the Russian Church, but with a different belief as to the central authority; thirdly, the Uniacks, who, with the same ceremonies as the Greek Church, were in communion with the Roman Catholic Church; and fourthly, Roman Catholics. He found by the Returns moved for by the hon. Member for Carlow, that within a very brief period the Russians had forcibly—by flogging, torture, imprisonment, and exile—converted 1,300,000 Christians to the orthodox Greek Church, which had the Czar for its head; and he feared if she were once established at Constantinople, such conduct might be repeated on an extended scale. He knew not which was the graver trial—for these Christians to endure the occasional outbursts of ferocity from the Turks, or this steady, systematic repression of religious freedom on the part of the Russians. For that reason he could not vote for the Resolutions of the right hon. Member for Greenwich, which in some way would make him responsible for legalizing Russian aggression on religious freedom. One word with regard to British interests. It would be easy to defend the Suez Canal by our Fleet, but he doubted whether any fleet could defend Constantinople. When Admiral Duckworth was there in 1807 he was obliged to retire, because he found his retreat was being cut off by batteries on shore. Any force that controlled the land could always command the sea approaches to Constantinople. He believed that Constantinople would be in very great danger from the Russians before any debate would be renewed in that House. When Russia crossed the Balkans she was only 250 miles in a straight line, or 340 by road, from Constantinople. Ten miles a-day was not a very difficult advance for an army, and so the Russians would be 34 days only from Constantinople, once their army was fairly across the Danube. Now, how long would it take to send an English land Force to Constantinople? It was 14 days' sail from our southern ports, and it would require some time to get the men together and provide vessels for their transport. It might, therefore, at a later epoch become practically useless for us to attempt any defence of Constantinople. It might be said that the Turks would be able to retard the advance of the Russians; but the experience of 1829 showed that after they were beaten in one regular battle the Turks offered no opposition to the advance of Russia. Two enormous changes had been since then made in the situation. The first was that the Russians had really adopted railways, and this would make a great difference in their supplies and commissariat. Railways had brought Russia 700 or 800 miles nearer to Constantinople than she was formerly, while the improvements in scientific warfare being wholly in favour of the scientifically trained officers of Russia, Turkey would go down before her in every battle. He insisted that mere neutrality was not enough. It ought to be an armed neutrality; and if we did not wish to allow Russia to get to Constantinople before us, we would require to station an Army of Observation on some island, or other advantageous position, not far removed from Constantinople, so as to be prepared for immediate action on an emergency.

MR. BOURKE moved that the Debate be adjourned.

THE CHANCELLOR OF THE EXCHEQUER hoped the Debate would be resumed and concluded to-morrow night. The whole week would then have been spent upon it, and that was not at all too much, considering the importance of the subject. The hon. Member for the

Border Burghs (Mr. Trevelyan) had a Motion of great importance on the Notice Paper, relating to the County Franchise, and as the hon. Member would see that it would be for the general convenience of the House that this debate should be resumed to-morrow, he hoped the hon. Member would waive his right, and allow this debate to be resumed as the First Order of the Day.

MR. TREVELYAN willingly gave way under the circumstances, but trusted that having done so, the Government would give him a day for the discussion of the important question of the County Franchise.

MR. ANDERSON objected to the way in which the conduct of debates was arranged. In great debates like that one, unless hon. Members would stoop to beg the Whips of their Party to procure for them an opportunity, they had no chance of speaking; and the effect of that indecent system had been that in the present debate, in three nights speaking, only two of the Members who intended to support all the Resolutions of the right hon. Member for Greenwich had been able to address the House, and therefore the reports of the debates conveyed to the country a totally erroneous idea of the extent of support the right hon. Gentleman would have received had he moved the whole of his Resolutions. He deprecated any idea of the slightest supposition of anything unfair on the part of the Speaker in making his selections, but so long as lists and suggestions were permitted so long such results as he pointed out would be possible.

SIR CHARLES W. DILKE hoped the Government would accede in some way to the appeal of his hon. Friend the Member for the Border Burghs.

THE MARQUESS OF HARTINGTON said, that the hon. Member for the Border Burghs would, perhaps, avail himself of the opportunity of seeking what advantages he could as a private Member. The Speakers that night had been selected with the greatest impartiality. He trusted it might be possible to finish the debate by to-morrow night, though he was afraid no understanding could be come to.

THE CHANCELLOR OF THE EXCHEQUER suggested that the hon. Member for the Border Burghs should endeavour to obtain a day for his Motion in the ordinary way; failing which, although in the present state of Public Business he could not give any direct pledge, the Government would recognise the claim which he would have, both on account of his giving way for the convenience of the House and of the importance of the subject of his Motion. So far as the Government was concerned, they would do all in their power to bring the debate to a close to-morrow night.

Motion *agreed to.*

Debate *adjourned* till *To-morrow.*

PARLIAMENTARY AND MUNICIPAL ELECTIONS (HOURS OF POLLING).

Motion made, and Question put, "That Mr. Hunt be a Member of the Select Committee on Parliamentary and Municipal Elections (Hours of Polling)."

The House *divided*:—Ayes 37; Noes 6: Majority 31.—(Div. List, No. 119.)

Mr. WILLIAM EDWARD FORSTER, Sir CHARLES MILLS, Sir CHARLES DILKE, Mr. CHARLEY, Dr. CAMERON, Mr. PHIPPS, Mr. BURT, Mr. CHARLES LEWIS, Mr. MUNDELLA, Mr. TENNANT, Mr. MURPHY, Colonel BERESFORD, Mr. HENRY SAMUELSON, and Mr. GORDON nominated other Members of the Committee:—Power to send for persons, papers, and records; Five to be the quorum.

CANAL BOATS BILL.

On Motion of Mr. SCLATER-BOOTH, Bill to provide for the Registration and Regulation of Canal Boats used as Dwellings, *ordered* to be brought in by Mr. SCLATER-BOOTH, Mr. Secretary CROSS, and Mr. SALT.

Bill *presented*, and read the first time. [Bill 162.]

PARLIAMENTARY ELECTIONS AND CORRUPT PRACTICES BILL.

On Motion of Mr. ATTORNEY GENERAL, Bill to amend and continue the Acts relating to Election Petitions, and to the prevention of Corrupt Practices at Parliamentary Elections, *ordered* to be brought in by Mr. ATTORNEY GENERAL, Mr. Secretary CROSS, and Mr. SOLICITOR GENERAL.

Bill *presented*, and read the first time. [Bill 163.]

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Friday, 11*th May*, 1877.

MINUTES.]—PUBLIC BILLS—*First Reading*—General Police and Improvement (Scotland) Provisional Order Confirmation (Dumbarton) * (68); Bar Education and Discipline * (69).
Second Reading—Provisional Orders (Ireland) Confirmation (Holywood, &c.) * (62).
Committee—Removal of Wrecks * (59).
Committee—Report—Bankruptcy Law Amendment * (41); Local Government Provisional Orders (Horbury, &c.) * (55).
Report—Public Record Office * (58-70).
Third Reading—Elementary Education Provisional Order Confirmation (London) * (48); Elementary Education Provisional Orders Confirmation (Cardiff, &c.) * (60), and *passed*.
Withdrawn — Railway Companies Servants (46).

PARLIAMENT—THE WHITSUNTIDE RECESS.—QUESTION.

THE MARQUESS OF RIPON asked the Lord President, What arrangements the Government proposed to make with respect to the Whitsuntide Recess?

THE DUKE OF RICHMOND AND GORDON said, that the Committee on the Burials Bill was fixed for Thursday, the 17th instant, and if the discussion on that stage was concluded at that sitting, he would propose that their Lordships should adjourn for the Recess on that night. If the Committee were continued on the following day, he would move that their Lordships adjourn from the 18th instant till Monday, June 4.

RAILWAY COMPANIES SERVANTS BILL.—(No. 46.)

(*The Duke of St. Albans.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE DUKE OF ST. ALBANS, in moving that the Bill be now read the second time, said, that this measure was no attempt at paternal legislation. It only sought to intervene between employer and employed, because, to use the words of the Preamble—

"the length of time during which servants of Railway Companies are sometimes employed is such as to be prejudicial to their health, detrimental to the proper working of railways, and a cause of great danger to the public travelling thereon."

He did not seek to introduce the principle of Parliamentary interference with free contract in adult labour; and in order to carry out this intention he proposed in Committee to exempt platelayers from the operation of the Bill, and to include only persons engaged in working the traffic; the Bill would thus deal only with that class of railway servants on whose capacity the lives of travellers depended. The Prime Minister found fault with him the other night because he wished to apply the principles of the Factory Acts to adult male labour. The noble Earl ignored the fact that his own Government in 1875 drew a distinction between workmen engaged in ordinary pursuits and those on whose labour the safety of the public depended. The present Government had lost no opportunity in claiming credit for having done so; and he thought he was entitled to ask the noble Earl, or some Member of Her Majesty's Government, to point out in what respect the principle of this Bill differed from that upon which Mr. Cross based a claim for special provisions in his Conspiracy Act of 1875 with respect to persons employed in works affecting the safety of the public. In the present case he would not ground the necessity for this Bill on humanity to the men—though there was much to be said on that head. Labour, he was glad to say, was strong enough to protect its interest; though when they saw in "Jones *v* The Great Western Railway Company" the widow's cruse pitted against a rich Railway Company in four expensive lawsuits for damages for her husband's death, a combination for the prevention of cruelty to railway travellers and railway servants might become necessary. What this Bill sought was to remove the great danger which Captain Tyler stated in his evidence and reported to exist to the travelling public from overworked railway servants, arising from an insufficient staff; and to this cause Captain Tyler attributed no fewer than five accidents in 1875. He would, with their permission, read some extracts from the evidence taken before the Railway Accidents Commission, and he thought they would agree with him that a real evil had to be dealt with. In the minutes of Mr. Jackson's evidence there were these passages—

"17,678 (Sir Seymour Fitzgerald).—Take Monday, the 1st of February. I find that 28 guards were on duty that day, and half of them were on duty for considerably more than 15 hours?—That is possible: that book shows the true working according to the men's own time and figures.

"17,679.—I find two men that were on duty for 15 hours and four minutes, another one for 17 hours 20 minutes, another 21 hours 30 minutes, another man 20 hours, another man 17 hours 10 minutes, two that were on duty for 21 hours 30 minutes, one that was on duty for 16 hours 15 minutes, two that were on duty for 16 hours 40 minutes, one that was on duty for 18 hours 20 minutes, two that were on duty for 20 hours, one that was on duty 21 hours 11 minutes, another for 21 hours, and two that were on duty for 22 hours 10 minutes, and I find that one man who was on duty for 15 hours and 40 minutes on Monday, February the 1st, is out again on February the 2nd, and goes on duty for 18 hours 30 minutes?—Yes, that is possible; may I ask where he runs?

"17,680.—It is a Lockwood train, and he got something like 14 hours' rest in two days out of 48 hours?—Yes, that book is correct.

"17,691 (Sir Seymour Fitzgerald).—On February the 2nd I find that 20 of your guards were on work for more than 15 hours a-day?—If it is in the book, that is so.

"17,692.—And I find that one man was on duty on that day for 13 hours who had been on duty for 21½ hours the day preceding?—May I ask what train that is?

He had received this statement from Mr. John Graham, the London District Secretary of the Amalgamated Society of Railway Servants. He had not been able to verify the fact, though he had ascertained that their source was reliable:—

"The porters and guards on the Metropolitan and District Railways commence work on Sundays at 7 o'clock in the morning, and finish at about 12 o'clock at night; time of duty, 16 and 17 hours. On the London, Brighton, and South Coast Railway, on the London, Chatham, and Dover, on the North London, and on the London and South-Western Railway, the same thing exists; while on the South-Eastern Railway the hours of duty are with some of the guards as many as 19. The engine-drivers and firemen on the South-Eastern Railway have turns of duty varying from 12 to 20 hours, and these men can be easily seen either at the Charing Cross or Cannon Street Stations. The Chatham and Dover engine-drivers do the same thing, but not so often. The drivers and guards of the 6.30 a.m. goods train, Redhill to Bricklayers' Arms (South-Eastern Railway), have for a week to work each day 14 and 15 hours; of the 7 o'clock a.m. goods train, Redhill to Reading, 13½ to 14½ hours; of the 12.30 a.m. goods train, Redhill to Reading and back, 13 to 14½ hours regularly. A porter at Basingstoke (London and South-Western Railway) came on duty at 6 a.m. on Thursday last, and remained on duty 36 hours. These cases can be multiplied to any extent, but as I do not know whether such information as this is required by your Grace, I will give no more now."

Experience at sea had taught sailors that the look-out should be divided into four-hours' watches, and in the engine-room six-hours' shifts were adopted. The Government would not entrust the mails, or individuals their lives, to a ship whose hands were on duty 20 hours; and shipowners knew they must conform to those rules in which safety was insured, or other vessels would be started and take their trade; but the Railway Companies had a monopoly, and were in a position that whatever they did the public must travel by them and take their chance. He believed that in unfortunate times 1 per cent on the working expenses would cover compensation; and a sufficient staff to deal with the extra work which at certain seasons of the year fell on railways would cost considerably more. Therefore it was best economy for a Railway Company to run the risk and pay the damages than to prevent accidents. The 2nd clause of the Bill limited the hours during which railway servants might be employed in any 24 hours to 12 hours, except when unforseen circumstances rendered a longer employment necessary for the security of life. The number was only tentative, and suggested itself to him as adopted on board ship as one which should not be exceeded; but he trusted it would seldom be reached. Clause 2 made the employment of railway servants contrary to its provisions an offence punishable in each case by a penalty of not less than £5, and not more than £50; unless it could be proved that such employment was necessary for the security of life; but if it were proved that the employment was wholly or partially during the night, the minimum penalty was fixed at £10 and the maximum at £100. Clause 3 was framed with a view of recouping a Railway Company penalty and costs to which they might be liable by the contravention of the Act (contrary to their wishes) by some of their officials; and it provided that though the Company should in the first instance be liable, the official who employed the railway servant contrary to the Act, and without the consent, knowledge, or connivance of the Railway Company, might be ordered by the Court to repay to the Company the

The Duke of St. Albans

fine incurred by them and the costs of the proceedings. Clause 4 enabled penalties to be recovered in the manner provided by the Summary Jurisdiction Act. Clause 5 allowed an appeal to quarter sessions. He had endeavoured thus to secure that the matter should be settled in a summary and inexpensive way. Clause 6 defined what should be meant by a "Railway Company" and "Railway servants" under this Bill; and as to this much might be said about including stationmasters; but, on the whole, he had thought it more convenient not to do so. Railway servant under the Bill would mean engine-driver, fireman, stoker, guard, signalman, pointsman, platelayers (he proposed to omit platelayers), breaksman, shunter, wheel-tapper, wheel-examiner, and porter engaged in working the traffic. When platelayers were eliminated, those only on whom the public safety actually devolved would come under its enactments. The remaining clauses provided for the technical working of the Act, except Clause 7, which allowed the Court to give to the complainant or informer half the fine when it seemed desirable. Such was the measure which he had the honour to present to their Lordships. Better means might suggest themselves to others of arriving at the end which he had in view. Though the noble Lord who proposed to put the extinguisher on this Bill (Viscount Bury) paid its principle a qualified praise the other night, even if the Bill survived that night he could not be sanguine of its becoming law this year; but this thing he did regret—that the fact would go forth that a Railway Director moved its rejection. He knew that the noble Lord was actuated by conscientious motives; but he was afraid the public would regard him as a Director of the London and South-Western Railway.

Moved, "That the Bill be now read 2ª."—(*The Duke of St. Albans.*)

VISCOUNT BURY, in moving that the Bill be read a second time that day six months, said, he had been for many years a Railway Director, and he had devoted considerable attention to the working of railways: he hoped, therefore, he would be pardoned for interposing between the Motion for the second reading and the vote which their Lordships would be called upon to give on that Motion. He admitted that if the Preamble of the noble Duke's Bill was true, a case had been made out for some such measure as this; but he asked whether that Preamble was true? He denied that it was. It was inaccurate to say that railway servants were habitually overworked; and he ventured to assert that if this Bill passed, railways would become unworkable, the traffic would be at a standstill, and the railway system of the country would be paralyzed. On a former occasion he said that while not being able to concur in the resolutions contained in the Report of the Royal Commission, he did bear willing testimony to the manner in which the Commission had collected and summed up the evidence—what it had done in that respect was beyond all praise. He had referred to the Royal Commissioners as experts, and he asked what they said as to railway servants being overworked. One of the Commissioners, Mr. Galt, whose bias seemed to be in favour of the purchase of the railways by the State, made a Report of his own, and having analyzed all the evidence bearing on that point, Mr. Galt said he felt bound to admit that the railway servants generally were satisfied, and their hours of work were not excessive. There were 119 railways in England, and in respect of only two of those had it been shown that the men were overworked. One of those was a mineral line in South Wales, and the other was the Great Eastern. In the case of the latter line the overwork was in a goods shed at Cambridge; but it was explained by the manager that the overwork in that shed was due to exceptional circumstances, and would not recur, and that the work, if excessive, was certainly not dangerous. The General Report of the Commission stated that, if to meet the exceptional cases in which the men were required to work for an excessive length of time, legislation should become necessary, such legislation would require to be accompanied by many safeguards. The fact was that in scarcely any other employment was there such diversity as to the nature of the duties as in that of railway servants. The General Report stated that the men employed by the railway companies were the best available in the existing state of the labour market. That was true, and it was also true that there were no

better-behaved class of workmen. And if the men behaved well it was because they were paid well and treated well. There was no class in this country better able to take care of themselves than the unskilled workmen. As was stated by one of the witnesses before the Commission, if those men were not treated well on the railways they would take up their jackets and walk away. The trades unions with which they were connected would not allow them to be "put upon." It was an injudicious thing to assert that the service of railways was conducted in such a way as to expose the public to danger. The general managers of a line with which he was not connected had sent him some statistics as to the number of persons employed on that line, and as to the number of hours during which they were on duty. The total number employed was 8,944. Of those 23 worked 7 hours a-day, 91 worked 7½ hours, 266 worked 8 hours, 123 worked 8½ hours, 265 worked 9 hours, 244 worked 9½ hours, 1,189 worked 10 hours, 858 worked 10½ hours, 929 worked 11 hours, 353 worked 11½ hours, 1,022 worked 12 hours, 89 worked 12½ hours, 62 worked 13 hours, 32 worked 13½ hours, 26 worked 14 hours, 11 worked 14½ hours, 16 worked 15 hours, and 2 worked 16 hours. The greater number of those who worked for long hours were employed at intermittent employments, and had not their attention on a constant strain. When men worked over hours they were paid for it at the rate of from one and a-half to two hours' pay for each hour. On week days, when worked overtime, they had an hour and a-half's pay for an hour's work, and on Sundays they had two hours' pay for one hour's work. A few years ago the railway servants agitated against overtime; but when the matter came to be examined into, it was found that they did not care so much about working overtime, as about securing that they should be paid for it. At that time they were paid by the day; but now they were paid by the hour for their overwork, and the noble Duke might take it from him that the railway servants would not regard him as their benefactor if he succeeded in passing this Bill. As to the engine-drivers, it was quite true that many of them worked over 12 hours a-day; but that was generally in the case of goods trains, which had to go a certain distance, wait a certain time, and then return, and which had also to get out of the way of the fast trains. He was not connected with the Great Western Railway, and he might, therefore, refer to it in illustrating the case. If, on the Great Western, a goods train started from Bristol for London it might find itself between Slough and London at the end of 12 hours. The engine-driver could not be relieved at the end of the 12 hours, because the manager of the Company could not know on what part of the line he would be found then, and consequently it would be an impossibility to have a relief ready on the bank. If the time was absolutely fixed at 12 hours, were the men to leave their engines at whatever spot they might be? The provision in the Bill enabling Railway Companies to proceed against negligent servants for damages already paid by a Company could have only a mischievous effect. As to signalmen, the number of hours per day during which they were worked was in populous districts 8 hours, and in less populous districts 12 hours. It was necessary occasionally to exceed that a little in order to make the day shifts and the night shifts fit in when there was a change at the end of the week. He had anticipated that his noble Friend would bring up the 37 hours' case, because it was the stock instance always referred to on those occasions; but if noble Lords referred to the evidence in the Blue Book they would find that the 37 hours' case arose from an agreement made between three signalmen themselves, unknown to the Company, in order to obtain a holiday. Some little time ago Railway Directors tried an eight hours' shift for signalmen instead of a 12 hours' one in agricultural districts. The result of it was that the signalmen hired themselves to the farmers, and came back to their shifts so tired from work in the fields, that the shortening of the hours was a source of danger to the public. The feeling expressed by the men generally was that railway work was hard, but that the hours, while well paid for, were not excessive. The Bill showed on the face of it great want of consideration and ignorance of details, and he could not conceive that their Lordships could possibly give it a second reading. If the noble Duke had consulted those who were acquainted with railway manage-

Viscount Bury

ment, they would have told him that the Bill was altogether unworkable. The best way of remedying any grievance that might exist was to leave the matter to those who were responsible for the management of the Company's affairs.

An Amendment *moved* to leave out ("now,") and insert ("this day six months.")—(*The Viscount Bury.*)

THE DUKE OF SOMERSET said, the noble Lord (Viscount Bury) had treated the question from the view of the railway servants; he wished to say a few words in the interest of the public, who were constantly horrified by reports of accidents, which, on investigation, were frequently found to be attributable to overwork of the railway servants. It was an undoubted fact that in 1875 no fewer that 780 railway servants were killed, and over 3,000 wounded, of whom a large proportion perished by accidents occasioned by over work and exhaustion. That was the case as to the railway servants—now, as to the travelling public. In a case of accident it was shown that a boy between 16 and 17 years old had been kept for 14 consecutive hours managing a telegraph, and very probably it was in consequence of the boy's inability to perform the duty for such a length of time that he committed the error that was the cause of the catastrophe. What was the use in telling them that on some line or other the men were not overworked, if on another one's spine was injured or one's leg broken in consequence of overwork, such as that boy had to perform? The Government appointed a Royal Commission in 1874—he presumed that inquiry was thought necessary at that time, or a Royal Commission would not have been appointed. He took an interest in the work of the Royal Commission, and after about a year and a-half had elapsed he began to inquire what it had done. He was told that unfortunately the noble Duke who had been appointed Chairman of the Royal Commission (the Duke of Buckingham) had gone to India. Well, where was the Report? The noble Duke had taken the Report with him. Where was the Secretary? He had gone with the noble Duke. It was no wonder that the Railway Commission had been a little distracted in its proceedings, and that its Report required a very long time for its consideration. As to the responsibility of Railway Companies, there was much misapprehension. What did that responsibility amount to? It sometimes happened that when a Government Inspector went over a line he found the permanent way very defective. The next time the Company met it was announced to the shareholders and the public that gangers had been sent down the line to put everything in order. But what did the public know about the responsibility in this case? The only persons who could be held liable for the condition must be some of those who were connected with its management. To whom were they responsible? To the shareholders? But the shareholders were only anxious for a good dividend. So far as the Government were concerned, they might incur a responsibility by not interfering to protect the lives and property of Her Majesty's subjects. No doubt, the Government had great difficulty in interfering; but still there were cases in which Companies neglected to adopt improvements that were urged upon them; these were Companies that were worked on what were called most economical principles. When accidents happened on their lines, and it appeared that the lines were not in a proper condition, or the number of servants was insufficient, or their hours were too long, he hoped that juries would give heavy damages, porportionate to the degree of neglect that was established. He was afraid, from a speech which was delivered the other night, that there was little chance of the Government interfering on behalf of the public at present; but before long they would be obliged to interfere in some way, unless the Companies were wise enough to take the advice that had been given to them by increasing their break powers, taking care of their permanent way, and introducing the block and telegraph systems wherever they were required. Until the Government had done that which they seemed disinclined to do, the only way to bring home responsibility to the Companies was to make them pay heavy compensations to those who might be injured through their negligence or parsimony.

THE EARL OF BELMORE said, that though he admitted that there existed

ground of complaint against the Railway Companies, still if the noble Duke in charge of the Bill went to a division, he should be obliged to vote for the Amendment. He understood the railway servants were disappointed at the little notice that had been taken of their case in a recent discussion; but it was very fully considered by the Royal Commission on Railway Accidents, before which their case was fully represented by their energetic secretary. The railway servants set forth six grievances—namely, excessive hours of labour, non-enforcement of rules, non-adoption of improvements, want of accommodation for the traffic, the employment of inefficient persons, and the insufficient number of railway servants. They did not succeed in making out all their case. There were exceptional cases of excessive hours, and there were rules, such as that against "fly shunting" which involved getting off and on carriages in motion, that were not enforced, and there was the non-employment of superior officers to enforce them. The non-adoption of improved appliances affected the public as well as the servants, and on this head the Commissioners recommended an extension of the powers of the Board of Trade. If the Government saw their way next year to legislate on this recommendation, that would meet the case of the railway servants and of the public too. The noble Earl quoted the conclusions of the Commissioners on these points, also the following passage from their Report bearing on the subject of the Bill:—

"In our opinion railway servants have some grounds for seeking exceptional measures for their protection, from the fact that owing to certain incidents of the law of Master and Servant, the law of liability, upon which (as the Royal Commissioners of 1865 say) 'Parliament has relied for the safe working of railways,' is practically a dead letter as far as they are concerned. But all such special measures are unequal in their operation in contrast with general laws, the influence of which is constant and even; and, therefore, we would recommend such a change in the law as will place railway servants in as nearly the same position with the public in these respects as is consistant with the law of Master and Servant. Whether these principles are wise and just we do not stop to inquire. We assume that they are so. But there are certain incidents in their application to railway labour, on account of which they press harshly, if not with positive injustice, upon the servants. There are other spheres of employment, no doubt, in respect of which this is equally true, but we confine ourselves to the precise question which concerns us. The distinction which the law of liability maintains between a master's liability to strangers and to his own servants is intelligible; but, at all events, to deal with the general law is beyond our province. But the grievance of the railway servants is not that they have, in common with all other servants, to prove what the law deems personal negligence on the part of their master in order to enforce a claim to compensation, but that in their case the law, instead of attaching this liability to a master who is, in fact, and not merely by a legal fiction, a person, and can, therefore, be reached and made amenable, confines it exclusively to a corporation so remote from them that proof of complicity with the wrong from which they suffer is almost invariably an impossibility."

That was the substance of their recommendations. It was not to be expected that the Government would pronounce an opinion on this matter at once. For himself, he would be satisfied if in the present year they dealt with the subject of break power. He hoped the result would be that either by legislation, or some other means the public would soon be placed on some better footing than at present with regard to the numerous railway accidents that occurred.

EARL DE LA WARR said, he could not agree with his noble Friend who moved the Amendment (Viscount Bury) as to the very small number of overworked railway servants whose cases had come before the Commission. If his noble Friend referred to the Evidence, he would find there had been many such cases—among others cases of engine-drivers who worked 18, 20, and even 24 hours at a stretch. A case was mentioned by one of the Inspectors of the Board of Trade, where an accident on the Limerick and Waterford Railway was attributed to the fact that the engine-driver could not observe a distant signal in consequence of exhaustion, having been continually employed for 21 hours. He had entire sympathy with the noble Duke, so far as regarded the object he had in view—the regulation of the hours of work of railway servants; he feared, however, that the mode in which he proposed to attain that object was impracticable. He could not help thinking there was a certain laxity on the part of Railway Companies in enforcing their own regulations with regard to the length of time their servants should be employed. The men were, perhaps, too ready to work over-hours for extra pay; and if the Board of Trade would impress upon Railway Companies

the necessity of carrying out their own rules and restrictions and enforcing better discipline, the evils they all desired to remedy would be very greatly diminished. He hoped the noble Duke would not think it necessary to press the second reading of the Bill.

THE DUKE OF RICHMOND AND GORDON said, he should oppose the second reading. The noble Duke (the Duke of Somerset) had rather objected to the line of observation adopted by his noble Friend (the Duke of St. Albans) in confining his remarks entirely to the case of railway servants. But there was the very best reason for this—namely, that the Bill under discussion only dealt with railway servants, and therefore the noble Duke himself was himself rather irregular in travelling out of the record with regard to railway passengers. He ventured to think if this Bill passed the comfort of railway passengers would be very much interfered with. It would be very dangerous to establish such a precedent as would interfere between the employer of adult labour and the employed as to the number of hours they should labour. This Bill, if passed in anything like its present shape, would so hamper Railway Companies as to render it perfectly impossible to carry on the traffic. As matters at present stood, every facility and comfort were given to the public; the utmost efficiency was preserved and the utmost speed maintained. Those who were in the habit of travelling to the North must be aware that the Limited Mail left Euston Square at 8.30 P.M., and arrived at Perth at 9 A.M., being under the charge of an experienced guard who saw to the comfort of the passengers and the regularity of the trains. But if this Bill passed, no such arrangements could in future be made. One important point was this—where any accident occurred in consequence of the employment of railway servants for an undue length of time, the fact was always reported on by the Inspector, and the publicity thus given to it operated as a very considerable check in the way of preventing Railway Companies unduly employing their servants. He was astonished to hear the noble Duke (the Duke of St. Albans) state that Railway Companies were actuated in this matter by the feeling that it was cheaper to pay damages than to take steps to prevent accidents by employing men at high wages and for shorter periods of time. That statement, in his opinion, was not borne out by the facts of the case. The noble Duke on the Front bench (the Duke of Somerset) did not think it possible for the Government, having so much business in hand, to bring in a Bill this Session to deal with the matter. He entirely agreed with the noble Duke on that point. As was stated the other night by his noble Friend at the head of the Government, the subject was one which was entitled to, and was receiving, every consideration; but they were not able this year to legislate upon it. As to the remarks of the noble Duke about break power, the Companies, he believed, were now endeavouring to ascertain which was the most efficacious and best continuous break with a view to prevent accidents. The noble Duke also alluded to the block system. That system was now in operation, if he was not mistaken, on all the great lines. But even with that system accidents did occur. As the noble Duke was aware, one of the worst accidents had occurred on a line which had the block system in operation and was one of the first lines to adopt it—the Great Northern. He opposed the Bill before the House because he believed it would be perfectly impracticable in its working, the Preamble to be incorrect and incapable of proof, and because, if the Bill were to pass into law, it would add to the present difficulties and not take away any of the dangers of railway travelling.

LORD ABERDARE thought his noble Friend (the Duke of St. Albans) was perfectly justified in bringing forward the Bill, though it would be wise not to press it. He confessed it was no satisfaction to him if an accident happened to know, as had been stated by the noble Lord who moved the Amendment, that the men who were worked 15 or 16 hours at a time were handsomely paid. This discussion would, no doubt, be of service, as the attention of the Government would be directed to the question of the number of hours railway servants might be employed; but he thought his noble Friend would take the best course in not pressing the Bill. The subject was one which, before any steps could be taken in the way of legislation, required inquiry by a Select Committee.

THE DUKE OF RICHMOND AND GORDON wished it to be understood that he did not pledge the Government on the matter. He had only said it was one of great importance, and should receive consideration.

Then the said Amendment, Original Motion, and Bill (by leave of the House), *withdrawn*.

THE EASTERN QUESTION—DECLARATION OF MR. LAYARD.

QUESTION. OBSERVATIONS.

LORD STANLEY OF ALDERLEY asked the Secretary of State for Foreign Affairs, If it were true, as stated in "The Morning Post" of April 25, that

"Mr. Layard had informed the Porte that England had guaranteed the integrity and independence of the Ottoman Empire only under conditions laid down by treaties stipulating for the exercise of control by the Powers?"

Though too much importance ought not to be attached to statements by newspaper correspondents, yet they could not be altogether disregarded, since Mr. Gladstone or Mr. Bright laid down last Autumn that those who read the penny papers were as capable of judging of foreign affairs as Cabinet Ministers; and as there were still to be found persons who upheld the exaggerations of *The Daily News* Correspondent, and considered them to have been entirely corroborated, notwithstanding the large reduction of the figures of that Correspondent by Mr. Baring's Report; whose figures had again been reduced to one-third by the report of Mr. Storey, who was charged with administering relief to the Bulgarians. That might be said to be fresh reason for not allowing erroneous newspaper statements to remain uncontradicted, especially after the recent remarkable exhibition of credulity and simple faith in newspaper statements on the last occasion their Lordships sat. He desired, therefore, to ask the Secretary of State, if the statement in *The Morning Post* of April 25 was true or not? He could not believe it to be true for three reasons—first, because there were no such treaties; secondly, because, so recently as the 8th of February last, the Secretary of State stated to this House

"that he did not conceive we had a Treaty right to do so—that was, exercise intervention in favour of Christians—under the Treaty of 1856;"

and, thirdly, because the language attributed to Mr. Layard would be contrary to that which he was said to have held only about a fortnight before. As he entirely concurred with the opinion of his noble Friend the Secretary of State as to the extreme undesirableness of his being called upon night after night to express opinions upon important subjects, he should not put the other two Questions of which he had given Notice.

THE EARL OF DERBY: I have no difficulty in answering the Question of the noble Lord. Mr. Layard has not reported himself to have used any such language as that to which the noble Lord has referred, and I feel certain that no such language as that ascribed to him could have been used, because no man is better acquainted than Mr. Layard with the state of the case as regards our Treaty obligations, and the statement contained in the extract from *The Morning Post* is not in accordance with the facts. Seeing the Notice given by my noble Friend, I referred to the article in question, and found that the language quoted was not ascribed to Mr. Layard on the authority of any person professing to have accurate knowledge of what he said or did not say; but the writer merely gave the language as ascribed to him in the reports current in Constantinople at the time. I apprehend that Constantinople is a place where a good many reports are current which are not true.

GENERAL POLICE AND IMPROVEMENT (SCOTLAND) PROVISIONAL ORDER CONFIRMATION (DUMBARTON) BILL.

A Bill to confirm a Provisional Order under The General Police and Improvement (Scotland) Act, 1862, relating to the Burgh of Dumbarton—Was *presented* by The LORD STEWARD; read 1ª, and *referred* to the Examiners. (No. 68.)

BAR EDUCATION AND DISCIPLINE BILL [H.L.]

A Bill for constituting and empowering a Council of Education and Discipline for the Bar—Was *presented* by The LORD CHANCELLOR; read 1ª. (No. 69.)

House adjourned at Seven o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 11th May 1877.

MINUTES.] — PUBLIC BILLS — *Ordered—First Reading*—General Police and Improvement (Scotland) Act (1862) Amendment * [164]; Tramways (Mechanical Power) * [165].
Second Reading—Local Government Provisional Orders Confirmation (Altrincham, &c.) * [157].

QUESTIONS.

RAILWAYS (IRELAND).—QUESTION.

CAPTAIN NOLAN asked the Postmaster General, If he can state how many posts run north and south across a line drawn on the map between the two towns of Cong and Athlone, and what is the distance between these two towns; and, to name the towns between which such cross posts run, and to state how many hours after the arrival of the post in Tuam, county of Galway, it is forwarded to Claremorris in county of Mayo?

LORD JOHN MANNERS: There are no mail lines which run north and south across a line between Cong and Athlone. Speaking generally, the district south of such a line is connected with the mail lines from Galway, and the district north with the mail lines to and from Westport. The distance between Cong and Athlone is about 57 miles. The post is not forwarded *vid* Tuam, but by mail from Westport.

REGISTRAR OF BIRTHS AND DEATHS. QUESTION.

MR. W. JOHNSTON asked the President of the Local Government Board, Whether, and, if so, under what circumstances, a Registrar of Births and Deaths is justified in refusing to give a certified copy of an entry in the Register under his care, at a cost not exceeding one shilling to the applicant, when such certificate is required for the purpose of enabling a member of a registered Friendly Society, or his representatives, to obtain payment of any sum due to him or them from such society?

MR. SCLATER-BOOTH: I am not aware, Sir, of any circumstances which would justify a Registrar in refusing to give a certificate of death for the purpose alluded to. The Friendly Societies Act of 1875 provides that a certificate of death shall be given on the payment of a fee of 1*s.*, but application must be made in such form as is provided by the Registrar General, and some omission in that respect may have given rise to this Question. It is no part of the duty of the Registrar to fill up the form; but he is permitted by the Registrar General to do so on a charge of 3*d.* extra.

INDIA—THE CASE OF MR. WELD. QUESTION.

MR. PERCY WYNDHAM asked the Under Secretary of State for India, Whether he would lay upon the Table the Correspondence and Papers relating to the suspension in April 1876, of Mr. Weld of the Madras Civil Service, for, as magistrate of the Nagapatam Tanjore district, causing the exhumation of a body of a Saniyasi buried on the banks of a drinking water reservoir at that place?

LORD GEORGE HAMILTON, in reply, said, he had no objection to lay the Papers referred to by his hon. Friend on the Table of the House when they were complete.

RUSSIA AND TURKEY—THE SUEZ CANAL.—QUESTION.

MR. ERRINGTON asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have any information as to how far the statement which had appeared in the newspapers is accurate, viz.—

"That the Suez Canal is closed to Russian ships of war by agreement between the Porte and the Khedive. The entrances to the Canal will be guarded forthwith?"

MR. BOURKE: Sir, Her Majesty's Government have heard that it is intended to close the passage of the Suez Canal to Russian war vessels; but, as far as we are aware, no definite regulation has been issued on the subject. It is not intended, we are told, to close the Suez Canal to other vessels.

THE EASTERN QUESTION—THE DEBATE—SIR JAMES BROOKE. EXPLANATION. QUESTION.

MR. BAILLIE COCHRANE: I wish, Sir, to put a Question to the right hon. Gentleman the Member for Greenwich,

of which I have given him private Notice. There was a passage in the right hon. Gentleman's speech which he delivered on Monday night, which did not attract my attention at the time, but to which my attention has been drawn by a friend of Sir James Brooke—

"I cannot recollect a more shameful proceeding than the slaughter of the Dyaks by soldiers of Her Majesty and Sir James Brooke."

I have two reasons for putting the Question. One is that Admiral Sir Thomas Cochrane was the Commander-in-Chief in China, and that he gave the order for the attack on the forts; and the other is that there is a feeling among the friends of Sir James Brooke of pain and surprise at this observation, inasmuch as there was a Royal Commission, which inquired into the transaction, and the conduct of Sir James Brooke was highly approved. I wish to ask the right hon. Gentleman, Whether, by the phrase "a more shameful proceeding," or the phrase "the slaughter of the Dyaks," he intended to convey any censure upon the officers in Her Majesty's Service who acted upon the Instructions which they received from the Admiral, and on that distinguished man, Sir James Brooke?

MR. GLADSTONE: I think, Sir, the words quoted by my hon. Friend are not precisely correct; but, at the same time, they do not very greatly vary the effect of the impression I wish to convey. I say they are not precisely correct, because I am made to state that it was the soldiers whose conduct I blamed. According to my recollection, at this distance of time, the operation was entirely a naval one; and my recollection, as far as it goes, is that it was performed with the guns of the ships, and not by a minor warfare in detail. I do not, therefore, accept the words as they stand, but undoubtedly my opinion of the act is that it was an act of great and gross cruelty. With reference to these officers referred to, the responsibility has been entirely removed from their shoulders. I had forgotten at the time I spoke the circumstances of the Commission; but I do recollect and I do now state in the most explicit manner—and I am glad to have the opportunity of stating it again—that neither the Commander-in-Chief, the admiral at the station, could be held responsible except to the extent of the general orders, nor Sir James Brooke, who was a man of great energy, great abilities, and high character, and who was very much esteemed by many persons who themselves are most worthy of esteem; and still less could the officers and sailors of Her Majesty's Fleet be held in any degree responsible. They acted, I believe, strictly under orders; and not only was there the Commission to which the hon. Member has alluded, but the matter was brought directly under the cognizance of the Government and the House; and in the division which took place a large majority of the House and the Government completely upheld the conduct of Sir James Brooke, and those who were concerned in those operations. Therefore, the opinion which I give I give as my own opinion, as one of the minority in the matter. I still hold that opinion; but I entirely concur with the hon. Gentleman that no blame or censure can possibly attach personally to any of those concerned in the matter after the responsibility has been assumed by the authorities at home, and after the House has affirmed in the most decided manner its approval.

THE EASTERN QUESTION — RESOLUTIONS (MR. GLADSTONE).

THE CHANCELLOR OF THE EXCHEQUER moved—

"That the Order of the Day for the Committee of Supply be postponed until after the Order of the Day for resuming the Adjourned Debate on the Eastern Question."

MR. E. JENKINS rose to appeal to the Government for an understanding that the debate should not be concluded that evening. He had, from a certain quarter of that House, that morning received a "Whip" informing him that there would to-night be a certain division; which showed that there were some hon. Gentlemen gifted with a prescience which was extraordinary and supernatural. He knew that there were still a large number of hon. Members on that (the Opposition) side of the House, many of whom agreed with the right hon. Gentleman the Member for Greenwich, and who desired to have an opportunity of expressing their opinions. For himself, he had been during the whole of last evening engaged in a series of calisthenic exercises with the vain object of catching the Speaker's eye. He was only a humble Member of that House, but he had a

constituency, and they expected that he should endeavour to discharge his duty to them; there were others in the same position, and as they had had no opportunity of offering an opinion on the subject, he felt he was entitled to ask the Government and hon. Members not to interpose any obstacle to the free expression of opinion. His appeal to the Government gathered strength from the fact that a certain colour had been given to the debate by the many hon. Members who did not agree with the Resolutions, and a number of hon. Members who opinions were entitled to respect were desirous of expressing their opinions in a contrary sense to the colour which had been imparted to the debate. More than all, when last night they were obliged to sit there while insults were offered to the Sovereign of a great State with which at present we were in amity, and his name and assurances were treated with derisive cheers from the opposite side of the House, there was good reason why a number of hon. Members on that side should have an opportunity of vindicating the public opinion of this country. He appealed to the Government that the discussion should not be concluded that night, and that the right hon. Member for Greenwich should have an opportunity to sum up that great debate on Monday or Tuesday at an earlier hour than he could otherwise get.

THE CHANCELLOR OF THE EXCHEQUER: Whatever else may be done, I hope one thing, at all events, and that is that we shall not spend any great portion of the time we have at our disposal for discussion this evening, by getting into a debate as to when the division is to take place. I can assure hon. Gentlemen, so far as the Government are concerned, we have been most anxious to give as much facility as possible for hon. Members to speak in this debate. On the previous evening, no Member of the Government had risen to address the House; and on the present occasion, my hon. Friend (Mr. Bourke) who represents the Foreign Department in this House will feel it his duty to address some observations, yet no other Members of the Government, except myself propose to trespass on the time of the House. I most earnestly press upon the House the importance of endeavouring to bring this debate to a close to-night. We are perfectly ready to sit to a later hour than usual, in order to hear speeches which hon. Gentlemen are anxious to deliver, and we are under an obligation to the hon. Member for the Border Burghs (Mr. Trevelyan), who has given us the night in order that it may be made use of to the best possible advantage. I hope, therefore, we shall be supported by the House in endeavouring to bring the question to an issue to-night.

MR. WALTER wished to make a practical suggestion to the House at large, as well as to its Leaders on either side. He had always been of opinion that speeches in the House were a great deal too long. He was himself, on the present occasion, somewhat in the position of hon. Gentlemen behind him, for he, too, had wished to make some remarks upon the matter before the House, and had been unable to get an opportunity for so doing. He would, therefore, appeal to the good feeling of those hon. Gentlemen who in the course of the evening might, so to speak, get upon their horses, that they should not indulge in an unlimited gallop over the whole pasture which lay before them; and, to use another illustration, he would suggest that hon. Members, being in the position of a ship's crew who were running short of provisions, would do well to put themselves on half commons.

MR. ANDERSON said, what he and other hon. Members complained of was that the debate had not taken a fair direction, and that, whether by intention or by accident, the debate had taken such a turn and gone in such a direction that it would go to the country so as to show that the right hon. Member for Greenwich had only for his four Resolutions an extremely small following in that House, which was a false impression. As he (Mr. Anderson) had pointed out last evening, only two hon. Members who supported the Resolutions and were known to be warm supporters of them had been called upon in the whole of the three evenings, and he complained of that as unfair, whether it had been intended or not. It was perfectly well known that the following which the right hon. Gentleman would have, even if there had not been any attempt at "patching up," would have been a very large one, and it was unfair that the country should have been led to believe that it would only be a very weak one.

[*Fourth Night.*]

MR. GLADSTONE thought no one could complain of what was said by the Chancellor of the Exchequer, who was naturally anxious to bring the debate to a close. They were all aware that everything that could be done to accommodate the House and all its Members by an impartial choice was done by the Speaker, although no doubt it was impossible for that right hon. Gentleman, remarkable as his gifts might be, to judge from the personal appearance of the Member alone what line he intended to take. He (Mr. Gladstone) hoped there was no absolutely foregone conclusion as to the closing of the debate, but by all means let them proceed, and make the best of the time they had at their disposal. It did not become him to recommend short speeches after the extent to which he had trespassed upon the House on Monday evening last; but he ventured to say that this was probably the very largest question of foreign policy, and one having the greatest amount and range of topics, that had ever been before the House. He was sure there would be no disposition of hon. Members, for mere egotism's sake, to intrude themselves upon the House. At the same time, he was bound to say there were several Gentlemen, well qualified and entitled by their position to address the House, who had not yet been called upon, and who ought to find an opportunity to do so, and therefore he hoped a fair discretion would be exercised by Her Majesty's Government.

THE MARQUESS OF HARTINGTON hoped the House would at once enter upon the debate, with a desire of, if possible, concluding it in the course of the present sitting. At the same time, he hoped it would not be a foregone conclusion that it must necessarily so conclude in any circumstances. There were several hon. Gentlemen on that bench who had been anxious to address the House, and it was due to his hon. and learned Friend the Member for Oxford (Sir William Harcourt) and his right hon. Friend the Member for the City of London (Mr. Goschen)—as there was an inclination to take credit for the making of sacrifices—to say that though they desired to speak on the question, they would be willing to forego their respective opportunities of so doing.

Motion *agreed to.*

Mr. Anderson

ORDERS OF THE DAY.

THE EASTERN QUESTION—RESOLUTIONS (MR. GLADSTONE).

ADJOURNED DEBATE. FOURTH NIGHT.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [7th May],

"That this House finds just cause of dissatisfaction and complaint in the conduct of the Ottoman Porte with regard to the Despatch written by the Earl of Derby on the 21st day of September 1876, and relating to the massacres in Bulgaria."—(*Mr. Gladstone.*)

And which Amendment was,

To leave out from the word "House" to the end of the Question, in order to add the words "declines to entertain any Resolutions which may embarrass Her Majesty's Government in the maintenance of peace and in the protection of British interests, without indicating any alternative line of policy,"—(*Sir Henry Wolff,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. BOURKE said, that holding the position he did, it had been his fate to have to wade through every document in the Foreign Office relating to this subject which had been written during the last three years, and he was sure that the House would sympathize with him when he said that it was no light undertaking to attempt to consider any portion of this great subject. He trusted, however, that the House would not be alarmed by that statement, because he could assure them that he did not intend to address them at any great length, especially after the observations that had fallen from the hon. Member for Berkshire (Mr. Walter). The subject, indeed, appeared to him to have been very nearly exhausted, and the case of the Government had been put in a most satisfactory manner by his Superiors in office who had preceded him in the debate, and therefore it was his intention not to traverse the ground which they had already gone over, but to confine his observations to certain topics which had not yet been alluded to, or which if they had been alluded to, had only been touched upon lightly. Notwithstanding

the great difference between the Resolutions of the right hon. Member for Greenwich as originally proposed and as they now appeared upon the Paper, to which attention had been directed by the right hon. Member for Bradford (Mr. Forster), he did not think that any candid man could maintain that the Government, after all that had passed during this debate, could avoid looking upon these Resolutions as a whole. There was much in the speech of the right hon. Member for Bradford last night to which he (Mr. Bourke) had listened with most sincere pleasure. The right hon. Gentleman had spoken of the speech of his right hon. Friend the Home Secretary as one calculated to dispel many dangerous delusions. Why those delusions came to be entertained it was not for Her Majesty's Government or himself to divine, and certainly no man of judgment who had read what the Government had written, or had heard what they had said from the beginning to the end of this discussion, would feel himself justified in charging them with having given the slightest ground for those delusions. The right hon. Gentleman also went on to say that he was satisfied with the interpretation which the Home Secretary had placed upon the word "neutrality." The position of Her Majesty's Government had from the first been based upon that interpretation of the word. The right hon. Gentleman proceeded to say that he was strongly in favour of the maintenance and of the protection of British interests in case they were attacked. That also was one of the cardinal points in the policy of Her Majesty's Government. The right hon. Gentleman also spoke of the mediatorial duties which it might become incumbent upon this country to discharge from time to time while the war was going on. For his own part, he (Mr. Bourke) hoped that it would not be long before Her Majesty's Government were called upon to discharge those duties, and he could only say that they were fully impressed with the fact that those were among the most important of their duties, and he hoped that the earnest they had given with regard to Servia was sufficient to satisfy the House and the country that they would never allow the slightest opportunity to pass of using their mediatorial offices when they could be usefully employed in order to restore peace to Europe. The right hon. Gentleman had also spoken of the duties which would be incumbent upon this country in reference to the arrangements which would follow when the war was brought to a conclusion. Her Majesty's Government were peculiarly alive to those duties, and it was in view of them that they did not wish to have their future action hampered in any way, because they felt that the events that might ensue might have a very vital and powerful effect upon the future destinies of this country as well as those of the South-eastern part of Europe. The right hon. Gentleman went on to say that he had never been in favour of England acting by herself or of her joining Russia, and that there would have been great danger to the peace of Europe if she had gone to war against Turkey, or had joined the other Powers in going to war with her. That was the opinion of Her Majesty's Government, and that was the principle upon which they were acting; and there could not be a clearer exposition of the policy which had guided them from first to last. But the right hon. Gentleman then proceeded to make some statements in which he could not concur. The right hon. Gentleman went on to say that he deeply regretted that Her Majesty's Government did not adopt the policy of calling upon Europe to put pressure upon Turkey, and, if necessary, to use coercion. He (Mr. Bourke) was totally unable to reconcile that principle, so laid down by the right hon. Gentleman, with the other one he had stated that he was in favour of; in fact, he thought that the right hon. Gentleman had been too anxious to hunt with the hounds and to run with the hare upon this occasion, and that this desire had laid him open to the charge of inconsistency. If the last principle laid down by the right hon. Gentleman were correct, he ought to lay himself at the feet of the hon. Member for Liskeard (Mr. Courtney), who had certainly never said anything stronger in favour of coercion than was contained in that principle. No one could well mistake the meaning of the very able and logical speech of the hon. Member for Liskeard—it meant the dismemberment of Turkey pure and simple. He (Mr. Bourke) based his objection to the dismemberment of Turkey upon the same grounds as were put forward by the Secre-

[*Fourth Night.*]

tary for War. What commission, human or divine, had we to say to a country—"You shall be cut to pieces?" What commission, human or divine, had we to enter on a crusade against Turkey, or to attack a young Monarch, who certainly was not responsible for any of these acts of misgovernment and of cruelty which had of late disgraced the Government of Turkey, and to tell him that we were going to dismember his country for no reason in the world except for the misgovernment and the cruelties in which he had no part? The hon. Member for Liskeard had complained that we were in conflict with all the other European Powers in regard to these negotiations, as to putting pressure upon Turkey, and that the policy of Her Majesty's Government had been to keep them back from acting in the matter. There was, however, nothing in the whole history of this business that justified that statement. On the contrary, the concord of the European Powers, with the exception of Russia, with reference to the non-coercion of Turkey, was unanimous from first to last. The hon. Member further said that the question rested primarily with England and Germany, and that it might have been settled by the joint action of those two Powers, if we had addressed any communication to Prince Bismarck on the subject. He (Mr. Bourke) should like to know his authority for that statement. The hon. Member might know more of Prince Bismarck's mind than Her Majesty's Government. Prince Bismarck spoke his mind in the most candid manner to many persons, and it was quite possible that the hon. Member had had these confidences made to him by Prince Bismarck. If he had, he had been more fortunate than Her Majesty's Government, and he (Mr. Bourke) could not find anything in the Blue Books, or in any private letter which had been written, which would justify the statement that Prince Bismarck was ready to join them in the policy suggested. The hon. Member had then proceeded to draw a picture of the relations between France and Germany, which, in his opinion, was over-coloured. He (Mr. Bourke) hoped and believed that the feelings of animosity between those countries were not so strong as had been represented. France, great as she had been in the past, had a great future before her, and by pursuing the paths of peace she would attain greater glory and greater power than she had gained by pursuing the old ways of war. In regard to the Germans, he could not believe that a great and philosophic people, educated as they were—and they were the best educated people in the world—would long allow feelings of resentment towards France to rankle in their bosoms; and he sincerely hoped, notwithstanding what had been said to the contrary, that France and Germany would be united hereafter—and that in the course of a very short period—in the path of peace and progress. At the same time, he would point out that, if the unhappy state of feeling to which the hon. Member for Liskeard referred really existed between those two countries, it would manifestly have been futile to have gone to Germany and asked her to join in an European concert, when the first thing that would have happened would have been that the spirit described by the hon. Gentleman would have been evoked in France, and thus have utterly destroyed any hope of concert. The hon. Member for Liskeard went on to say last evening that the policy which he recommended—namely, that of coercion—would be a safe and an easy policy; but he could not agree with the hon. Gentleman, and he did not think that the remarks which he made on that point were worthy of a Member of his independent character and courage. He (Mr. Bourke) thought the course recommended by the hon. Gentleman to be one of a very mean character. What was his suggestion? It was this—"What is the Turkish Fleet without the head of an Englishman?" and he conveyed the impression that the Turkish Fleet was commanded by Englishmen; that there was not a single iron-clad in it which did not depend for navigation on an English engineer; and that if war broke out between England and Turkey, the consequences would be that the Ottoman Fleet would at once be given up to them. For his part, however, he could conceive no more dastardly conduct than that of a man who, having undertaken the responsibility of commanding a Fleet, should give over his ships to an antagonist, which would be the part of a traitor. The hon. Gentleman said, in effect, that the Fleet would be given up, and there would be an end of the question. Had recent events

justified that opinion? Did the events of 1828 justify it? He did not believe it. Of course, if war were to take place between Turkey and England the English officers now serving in Turkey would leave that service; but if the Turkish Fleet were destroyed to-morrow, I do not think that it would in the least degree alter the opinion of the Mussulman population with respect to their duty to their country; and if the whole of the Fleet was sent to the bottom of the Black Sea to-morrow, it would not alter their character or determination one iota. The right hon. Gentleman the Member for Greenwich the other day described the policy of Her Majesty's Government during the last 18 months as deplorable; but he (Mr. Bourke) would like to know exactly when the right hon. Gentleman came to entertain that opinion, and how long it had been shared in by those who sat beside him on the front Opposition Bench. He was glad to see that the right hon. Gentleman the Member for Birmingham (Mr. John Bright) was in his place, for he wished to make his acknowledgment, the first time he had an opportunity, of the patriotic course which the right hon. Gentleman took last year, when he went in July with a deputation to the Foreign Office to see Lord Derby, and when, as the House was well aware, Lord Derby made an important declaration with regard to the state of foreign affairs which then existed, and, amongst other subjects, went minutely into the question of the Berlin Memorandum. That declaration having been made, the right hon. Gentleman the Member for Birmingham very kindly said to Lord Derby—

"I think I shall only express the common and unanimous feeling of the gentlemen present by saying to Lord Derby that we are greatly obliged to him for the manner in which he has received the deputation, and that we have been greatly interested in the speech he has been kind enough to deliver to us. My own impression is that it will have a very salutary effect in all parts of the country. At this moment there is, other circumstances adding, from the political position, a great gloom over almost all the industrial and commercial interests of the country. It is impossible to say how much is due to one cause and how much to another; but no doubt the whole is greatly aggravated by the threatened war. I think the speech we have heard will have some influence in removing some of that gloom and in dispersing some of the clouds which are now hanging over us, and I think I may say that the speech Lord Derby has delivered to us is one calculated to give satisfaction to the country as it gives satisfaction to us, and we feel greatly indebted to him for it."

He quoted this not for the purpose of alleging any inconsistency on the part of the right hon. Gentleman, but in order to show how fully he had trusted the Government, and how thoroughly his views coincided with those of his departed Friend (Mr. Cobden), who told the House that he never gave a vote with more sorrow than he gave the vote which called Lord Aberdeen and the right hon. Gentleman (Mr. Gladstone) into office, because he considered that event the cause of the Crimean War. It had been described by a graphic pen. [Mr. GLADSTONE: When did Mr. Cobden say that?] He was quite certain he had read it in *Hansard*. He was sorry he had not the extract, but pledged himself to produce it to the right hon. Gentleman in a very short time. So much for the opinion of the right hon. Gentleman the Member for Birmingham. Mr. Carlyle, whom he was going to quote, described the circumstances that led to the Crimean War as "the greatest mass of stupidity, mismanagement, and folly which this country ever knew." He was sorry to see the right hon. Gentleman the Member for the University of London (Mr. Lowe) was not in his place, because in the course of his speech the other evening that right hon. Gentleman alluded to the Berlin Memorandum, and said that it seemed to him to be the turning point in the question; that it contained all the principles upon which a settlement could possibly be effected; and that we had refused to assent to it on the ground of a merely technical objection. The House would recollect that the right hon. Gentleman humorously spoke of some hon. Members of the House as having drank the wrong beer; but he (Mr. Bourke) thought the right hon. Gentleman must have drunk of the Water of Lethe since he delivered his speech at Croydon, for what did the right hon. Gentleman say at Croydon on the 14th of September? He said—

"As for power, look at the power we exhibited lately. Why, three Emperors entered into a league to make a certain regulation with regard to Turkey. They sent it to our Government, and our Government most properly refused to join that league. What was the result? Did they carry it on without us? They did not think fit to consult us before they

came to that resolution, and only asked us to assent to it as a matter of courtesy, but when we disapproved it the whole of their proceeding was rendered abortive, and England, I may say, was astonished at the amount of power she so exercised."

What was the opinion of the Colleagues of the right hon. Gentleman and of certain other Members of Parliament as to the Memorandum? As to the noble Lord opposite (the Marquess of Hartington), there had never been any doubt of his opinion. The noble Lord had never concealed his view, which was that we ought to have rejected the Memorandum without argument, on the ground that it had been agreed to without consultation with England. And what had Lord Granville said? His Lordship said, as to the Berlin proposals—

"I stated in the House a month ago [on the 30th of July] that I could give no opinion till I had seen the document. After reading that Paper I agree that it would not have been wise to assent to that document."

So much for the opinions entertained by the Colleagues of the right hon. Member for Greenwich on that matter. He did not think it could be maintained, after what he had stated, that the opinions of the right hon. Gentleman (Mr. Gladstone) with reference to that document were shared in by those Friends with whom he was accustomed to act, at least up to the month of September last. But the fact of the matter was, that there were defects in the Berlin Memorandum which rendered it perfectly impossible for Her Majesty's Government to acquiesce in that Paper. It would have been equally impossible, and it was admitted by Prince Gortchakoff himself, for the Turkish Government to execute all the engagements—such, for instance, as those with regard to building houses—which the Berlin Memorandum would have imposed upon them. What they wanted was that there should be an end to corruption and bad government in Turkey; but they were afraid that the effect of the Berlin Memorandum would have been to remove the responsibility of reform from Turkey, and place it on Europe generally. Even if other parts of the Berlin Memorandum had been deemed admissible, the last paragraph would have made it impossible for Her Majesty's Government to sign it, because it would have bound this country to take more efficacious measures in case those proposals did not succeed. The insurgents would never have laid down their arms; the refugees would never have returned, if they knew that Europe held out to them the hope that if they only went on with the insurrection she would come to their aid. The Government knew very well what efficacious measures meant. From the despatch at page 143 of the Blue Book of last year—[*Turkey*, No. 3, 1876]—they would see that before they received the Memorandum Lord Augustus Loftus told Her Majesty's Government what Prince Gortchakoff took to be the effect of the Memorandum, and also that he believed the proposal was made with a view to military measures being adopted in case other means did not answer. Therefore, Her Majesty's Government proceeded upon the assumption that the Berlin Memorandum really meant the partition of Turkey. With regard to Servia, he thought no one would accuse Her Majesty's Government of being remiss in their endeavours to put a stop to the war, or of being careless in bringing about a mediation. He did not think, moreover, that anyone would feel that, in the energetic arrangements which went on with regard to peace, Her Majesty's Government did not go to the very utmost in meeting the objections which were made by the Powers to their proposals. He could not help thinking that anyone who read the Papers would see that had it not been for the persistent perseverance of his noble Friend the Secretary of State for Foreign Affairs those bases of peace would never have been considered at all. Then, as to the Conference, he need not say that Her Majesty's Government had great difficulty in obtaining the consent of the Powers to the basis on which it was held. Everybody knew that Austria objected strongly, as also did other Powers. However, the Conference met, and, as the House was aware, Her Majesty's Government were of opinion that Turkey had done most foolishly in not accepting the proposals made at the Conference. He did not believe that the acceptance of those proposals would have been a blow either at the integrity or the independence of the Porte. He did not think Lord Salisbury ever used wiser words, or words which could be more substantiated by great writers on

Jurisprudence and International Law than in saying that when they came to talk of the independence of the Porte, it was a comparative term. ["Hear, hear!" *from the Opposition.*] He did not know whether those cheers were ironical or not; but nobody could suppose after what Turkey had shown of late of two great attributes of independence—the power of making war and the power of making Treaties—that she was not an independent Power. But if she had accepted the proposals of the Conference — even the most stringent ones made by Lord Salisbury—they would not have been a blow at her independence; for they only asked her to give in trust for a time certain attributes of her independence; and if she had done that, he had no doubt she would have laid the foundation for internal peace, would have regained the sympathies of Europe, and would have lost nothing in comparison with what she had lost by misgovernment and through the transactions which had gone on in her States for the past three or four years. And if in after years a Power had attacked her independence and integrity, it would have been opposed by all the Powers at the Conference which had asked Turkey to make that sacrifice. The Conference, however, had failed, and the right hon. Member for Greenwich gave as a reason for its failure that Lord Salisbury had been powerfully counterworked by Sir Henry Elliot, and he also suggested that a party of the noble Lord's Colleagues at home were working in the same direction. There was not one syllable in the Protocols of the Conference which pointed to such a conclusion; and if any person would take the trouble to look through the Blue Book, he would see that Lord Salisbury was throughout the Conference supported in his policy by his Colleagues at home. The right hon. Gentleman and some of his Friends opposite had thought proper to bestow a lavish praise on Lord Salisbury, a praise in which he (Mr. Bourke) heartily concurred; but when they said that someone at home was counterworking against him, and that that was the reason why the Conference failed, he could not but think that they threw the greatest aspersion on Lord Salisbury's character. That alleged counterworking could not have occurred without Lord Salisbury knowing it. Therefore, the assertion came to this—that Lord Salisbury allowed himself to go to Constantinople to be the mere stalking horse of a policy before Europe when he knew that that policy was to receive its death blow from his Colleagues the moment he suggested it. How those who recognized Lord Salisbury's high character as much as he (Mr. Bourke) did could believe that he would have consented to play the part of a puppet in such an extraordinary way, he could not understand. Then, again, the right hon. Gentleman had referred to the communication made to the Porte which drew forth from it expressions of lively gratitude, and seemed to think that that was a dreadful crime on the part of Her Majesty's Government. That was, in truth, a very small circumstance, though a great deal had been made out of it, and he was very sorry to have to allude to it, considering that it had already been disposed of in "another place." It was really only an expression of courtesy made by our Minister at Constantinople when Midhat Pasha became Grand Vizier. It was a most commonplace expression, and had no political significance whatever. The right hon. Gentleman had further alluded to, and seemed to think it a great crime to have sent Mr. Layard to Constantinople. All he could say was, that ever since he had known anything of foreign politics he had always heard of Mr. Layard as a person eminently qualified to fill the position to which he was now sent. He would further add that when the House came to see the Papers relating to what was now going on, they would find that since Mr. Layard had gone to Constantinople he had done very good service to this country. The right hon. Gentleman had spoken of the sending of the British Fleet to Besika Bay, stating that it had prevented Turkey's enemies from appearing in the field. He (Mr. Bourke) denied that it had had that effect. In the first place, it was perfectly consistent with the position of neutrality which Her Majesty's Government had taken up. Besides, how could the sending of the Fleet to Besika Bay have had the slightest effect upon the provinces of Herzegovina and Bosnia, which at that time were the theatre of war? Then the right hon. Gentleman had said we allowed the lead to slip into other hands.

If that had been the case, it certainly was not the fault of Her Majesty's Government. How could that be made a taunt against the Government? They had done one thing consistently—notwithstanding that Turkey had gone to war with Russia—they had kept England at peace, and had abstained from taking that course which the hon. Member for Liskeard had suggested last evening, and which must have landed this country in war. The right hon. Gentleman went on to say that he had reason to believe that the French Government at the time of the Conference did not agree with Her Majesty's Government, and that they thought it was an imprudent thing to have made the declaration that they would not have recourse to war. There was nothing in the Blue Books to warrant that statement; but, on the contrary, there was much to show that the French Government was entirely in accord with them on that subject. On that point, he would only quote the following passage from a letter in *The Livre Jaune* dated Versailles, November 19, 1876, written by the French Minister for Foreign Affairs to Messieurs de Bourgoing and de Chaudordy at Constantinople:—

"We should only separate ourselves from the other Powers should they wish to support the conclusion at which they have arrived by measures of material coercion, and if they should deem fit to proceed to a military occupation of either of the Provinces whose lot is concerned, or of other points of the Turkish Empire, we could not associate ourselves, even morally, with measures of that nature without departing from the strict neutrality which we have laid down for ourselves, and without the risk of being dragged into complications from which we are determined to remain aloof."

Her Majesty's Government had never said anything more decisive than that in regard to abstaining from coercive measures, and therefore the right hon. Gentleman was entirely in error in saying it was ever entertained by the French Government that it should resort to coercion. That despatch, in his opinion, furnished a complete answer to the charge of the hon. Member for Liskeard that England had thwarted the other Powers at every step. [Mr. EVELYN ASHLEY inquired what was the date of the despatch.] It was dated Versailles, November 19, 1876. Nor was that the case with regard to France alone, and if England had been so rash as to propose any such step, he believed there was not a Power in Europe who would not have opposed it. Then, again, as to Italy, he found in the Green Book this paragraph—

"At same time, Minister said that the Italian Government were strongly opposed to any military occupation of any portion of the Turkish Empire."

So that all the Powers of Europe, in fact, were in favour of the policy of Her Majesty's Government on that point. With regard to the Protocol, a short explanation was necessary. Prince Gortchakoff, shortly after the Conference, asked the opinion of Her Majesty's Government upon the state of affairs, but Lord Derby at that moment did not think it wise to write an answer. The wisdom of that course very soon became apparent, for before many days had passed Prince Gortchakoff requested that no answer should be given, as there would be another communication. That other communication was the Protocol, a very onerous and important document. Then came the negotiations which resulted in the signing of the Protocol and the appending thereto of the Declaration by Lord Derby as to the views of England in the matter. He wished to say a few words about that Declaration. The Protocol was, no doubt, put forward in favour of peace; but if England had signed it without making that Declaration, she would have signed a document put before her which might have been used afterwards in the case of war. For that reason it was absolutely necessary for England to take the precaution she did. They were anxious to make sure that a document put forward for one purpose should not be used for another. It was quite clear that the mobilization of the Russian Army greatly impeded the prospect of the reforms which were required of Turkey being carried out, and it was necessary for England to declare that, if demobilization were not carried out, the Protocol would be null and void. To that course Russia did not take the slightest objection. He was not sure, indeed, that it was not suggested by Russia herself. Russia, he believed, said something like this—"We are going to demobilize, but we do not want to say so in the Protocol. You are perfectly welcome to say that if war takes place the Protocol shall have no effect, and be null and void." A great

deal has been said about the last despatch written by Lord Derby. On that point he wished to say that if Her Majesty's Government sincerely differed from the Government of Russia, which was a friendly Power, upon grounds which she had stated in the Protocol, was this country to come to the abject state of being afraid to mention such a subject of difference? He considered that it was absolutely necessary not to preserve silence on that subject. It was not only necessary with regard to the other Powers of Europe, but it was only fair to Russia herself. It would have been grossly unfair to Russia, if Her Majesty's Government had allowed her to go on, and then, perhaps, subsequently to object to the course she had taken. What Her Majesty's Government had done had been done in the most friendly spirit to Russia, and they would have been guilty of the greatest insincerity and *laches*, not only towards England, but towards Russia and the rest of Europe, if they had refrained from expressing their opinion at that juncture. The right hon. Gentleman opposite (Mr. Forster) had blamed Her Majesty's Government on the point; but he would ask the right hon. Gentleman what was meant by the Declaration of 1871, where it was declared that no Power could be relieved from the obligations of a Treaty without the consent of the other parties to that Treaty? That was the Magna Charta of the other side of the House, which they always put forward as a great diplomatic triumph. It seemed to him (Mr. Bourke) that, in sending the despatch referred to, Her Majesty's Government were only acting up to that Declaration, if that Declaration had any meaning at all. The great reason why the right hon. Gentleman the Member for Greenwich had taken the course he had done was the way in which Lord Derby's despatch of the 21st of September last had been treated by the Porte. The right hon. Gentleman had said most truly that Shefket Pasha and others concerned in the atrocities had not only not been punished, but had been promoted. It was unnecessary for him to say anything on that question of the atrocities, as he had spoken as strongly as he could several times on the matter; but when they were asked to make that the main cause of a great future change of policy, he thought the House ought to recollect that there were other circumstances to be considered which ought not to be forgotten. He firmly believed that the demands made in that despatch of the 21st of September would have been acceded to had not the whole Ottoman race been firmly convinced that the Russian Army, which had then been for many months massed upon their frontier, was about to doom them to destruction. It was quite true that the despatch was written in September, and that the Russian Army was not massed on the Turkish frontier till November; but an inquiry was promised in September, and would have been carried out had it not been for the warlike preparations of Russia. Certainly there could be no doubt as to the evil effect of the conviction which possessed the minds of the Mussulman population that the Bulgarian insurrection was instigated and intended for their destruction, and as a justification of pre-determined Russian aggression. In that condition of things it was impossible for the Ottoman Government to deal with the question in the way which he believed they would have wished. However, he did not wish for one moment to excuse the Ottoman Government for what they had done. He believed they had acted foolishly and rashly; but he could not forget that, under the circumstances in which they found themselves for the last six or eight months, it would have been impossible for them, without danger to the Throne of the Sultan, to accede to the demands made upon them. Something had been said about Mr. Canning's policy in regard to Greece 50 years ago. Now, on that subject, he would point out that nothing was more likely to lead to error and bad consequences than to draw an analogy between incorrect parallels, such as between that case and the present. The condition of things in Greece in 1826 and the condition of things in Turkey at the present time were in some respects the same, but in some respects they were also wholly different. They were similar in this respect—that the pacification of Greece was an object of the Government of this country in 1826, and that there was a danger then that Russia would go to war without the concert of the other Powers; but if they looked at the whole course of Mr. Canning's policy, from the Treaty of Verona

down to his death, the one principle running through it was his firm determination that nothing should induce him to use force in any shape or way if he could avoid it between the belligerents. When Mr. Stratford Canning, the present Lord Stratford de Redcliffe, went to St. Petersburg in 1824, one of the bases on which he was to proceed in the negotiations was the strictly mediatorial character of the proposed intervention. There was to be a complete disavowal of force. The negotiations broke off because Russia would not agree to that principle. Again, when the Duke of Wellington went to St. Petersburg in February, 1826, the instructions drawn up by Mr. Canning pointed to an abjuration, by all the parties concerned, of any employment of force against either the Turks or the Greeks, and also to an abjuration of any means of aggrandizement. In connection with the Protocol of April and the Treaty of July, 1827, the same principle was observed by Mr. Canning. From the first to the last—from the first intervention of Mr. Canning in the affairs of Greece, till the Treaty was concluded—there was nothing to show that he ever for a moment entertained the idea of this country using force in favour of either belligerent. On the contrary, he never seemed to lose opportunities of abjuring the employment of force. He held in his hand a very important document, and he would like the House to permit him to read a portion of it. It was a subject which the right hon. Gentleman the Member for Greenwich put great stress upon, and he (Mr. Bourke) wished to state what he believed to be facts in regard to it. It related to the Conference which was held in September, 1825, between Mr. Canning and the Greek Deputies, on which occasion Mr. Canning told them—

"That their sanguine and enthusiastic friends, who suggested to them the supposed facility with which England, by her interference, might bring the struggle in which the Greeks are engaged to a favourable termination, deceived either the Greeks or themselves. They reasoned as if upon the assumption that the contest between Turkey and Greece was not only the only contest now existing, but would continue to be the only contest in the world after England had joined in it; and that it would have to be fought out by the Ottoman Porte, on the one side, and Greece, with England as her protectress and ally, on the other. They forgot that there existed between England and Turkey Treaties of very ancient date, and of uninterrupted obligation, which the Turks faithfully observed, and to the protection of which British interests of a vast amount were and are confided within the dominions of Turkey; and that all these interests must at once be put in jeopardy, and the obligation of the Treaties which protect them be at once advisedly broken by the first blow which Great Britain should strike, as the ally of Greece, in hostility to Turkey."

Surely nothing could be much stronger than that. Mr. Canning went on to say that if the course recommended by the Greek Deputies was followed, the result would be that—

"Every Power from henceforth would pursue its separate interests, without regard to previous connection or obligation. The war would spread to the West as well as to the East; it would soon become general throughout Europe; and long before its conclusion, whenever that might arrive, the separate interest of Greece, though the main cause of the contest, would be forgotten in the general confusion.

He might go on reading other portions of that important document, but would not trespass further on the time of the House. He was quite prepared to furnish a copy of it to the right hon. Member for Greenwich, if he wished it. [Mr. GLADSTONE: What is it?] The Memorandum of the Conference he had referred to. He felt certain that if the right hon. Gentleman traced the whole of the proceedings of Mr. Canning with reference to Turkey, from the Declaration of 1822 down to his death, he would not find a single word which justified the opinion that Mr. Canning ever for a moment contemplated the use of force. Then with regard to the Instructions which led to the battle of Navarino, he might remark that in the Treaty of July, 1827, there was not one word said about force. All that the Powers said was that they would concert measures, and Instructions were given to the Admirals, after Mr. Canning's death, to the effect that they were not to interfere between the contending forces. The right hon. Gentleman seemed to imply that the Duke of Wellington did not follow out the policy of Mr. Canning; but there was reason to think that if Mr. Canning had lived, he would have agreed with the Duke of Wellington in characterizing the Battle of Navarino as an "untoward event." With regard to the Resolutions of the right hon. Gentleman, he would only submit further that it was absolutely necessary for the safety of the country that the Government should not

be bound; but that they should be free to take the course which, as events proceeded, was best adapted for securing the honour and welfare of the people. If he had possessed anything like the eloquence of the right hon. Gentleman—most unaffectedly he said it—and if he could appeal to him with any hope of success, he would have sought even at that moment to impress upon him that, above and before all things, it was important in the present emergency, for the sake not only of this country, but of the world, to show Europe and the world that we were a united people. In particular was it needful that Parliament should show that it was not divided. He was afraid that that was too much to hope for, and that the attempt to persuade the right hon. Gentleman of that necessity would have been a hopeless task; but, at all events, he was certain that if anything happened which made it necessary for Her Majesty's Government to appeal to the confidence of the House of Commons in connection with this subject, that appeal, notwithstanding the strictures of the right hon. Gentleman, would not be addressed in vain.

SIR ROBERT ANSTRUTHER: I shall advert in a few moments to some of the remarks made by the hon. Gentleman the Under Secretary of State for Foreign Affairs; but before I do so I would advert more particularly to the position in which we on this side find ourselves in regard to the Resolutions moved by my right hon. Friend. I am one of those Members of the House who had no difficulty, as soon as I heard these Resolutions were put on the Table, in making up my mind that I would vote not only for one or two of the Resolutions, but for all the Resolutions, and not only for all the Resolutions, but for all exactly as moved by my right hon. Friend. I am not going to say that I do not think the proposed Amendment to the second Resolution is an improvement. But that by the way. It is impossible to conceal from ourselves that we have received a severe handling from the other side because of what happened on Monday last, when the right hon. Gentleman altered the second Resolution, and said he was not going to put two of the others at all. I think the noble Lord the Vice President of the Council (Viscount Sandon) was rash enough to say that the right hon. Gentleman's courage had failed him at the last moment. My experience of the right hon. Gentleman's courage is not such as would seem to corroborate the remark of the noble Lord. The hon. Member for Mid-Lincolnshire (Mr. Chaplin) described his policy as that of "childish vacillation." I do not think that my experience of my right hon. Friend will bear out that remark. Various other things were said, and I regret that something was said by the hon. Member for Liskeard (Mr. Courtney) in his able speech yesterday afternoon, when he used the remarkable expression that the action of the right hon. Gentleman was such as to make scoffers rejoice. I do not think I am a scoffer, but I certainly rejoiced, because it appeared to me that the transactions of Monday last were of an extremely simple nature, and I do not know why the hon. Gentleman should object to the course taken by my right hon. Friend (Mr. Gladstone). My right hon. Friend moved his Resolutions as an independent Member of Parliament. He had not consulted his Colleagues, but when these Resolutions were tabled my right hon. Friend found that certain alterations would enable a large number of his Colleagues and other hon. Members below the Gangway on the same side of the House to vote for his Resolutions. Was he to be blamed, because he so amended his Resolutions as to enable them to vote with him? It is what you all do every day—hon. Gentlemen on the other side, perhaps, not on so large a scale, but we all do it on a small scale. If Amendments to Resolutions before the House enable us to gain a large amount of support, we amend our Resolutions, and we do not think we have done anything to disturb the confidence of those who vote for us. Therefore, that my right hon. Friend should be blamed for amending his Resolutions to enable his Colleagues to support him, I cannot for a moment understand. Now, we come to what they are. The first and second are the only ones actually before the House. My hon. Friend who has just resumed his seat (Mr. Bourke) has spoken of the Resolutions as a whole, and has said they must be taken as a whole. I am quite willing to take the position laid down by the hon. Gentleman, and to take the Resolutions as a whole, and I will admit, for the

satisfaction of my right hon. Friend, that although the terms of the Resolutions have been removed, the mind and soul of the Resolutions yet remain. Had the mind and soul not remained, my right hon. Friend never could have spoken his magnificent speech. Had they not remained, we should never have been able to give him the support we do. The whole country would not have been able to afford him that cordial support which we believe he has received. We are asked to say that this House finds just cause of dissatisfaction with the conduct of the Ottoman Porte in relation to Lord Derby's despatch. I think we may at least claim the vote of the hon. Gentleman the Under Secretary of State, who very justly stated in his speech that he could not defend the action of the Ottoman Porte for the way in which it had received Lord Derby's despatch. It is quite true the hon. Gentleman took a strong line of defence of the Porte. He maintained that the whole of the Moslem inhabitants of these Provinces looked upon the rising as intended for their entire destruction, and on that account it was impossible for the Sultan to bring the offenders to justice. And the hon. Gentleman excused the Sultan for not having done that. Now, it is remarkable that Lord Derby, in that very despatch, made a remark upon that very point, and it does much to dispose of the entire point raised by the Under Secretary of State. In paragraph 4 of the despatch, Lord Derby says—

"Moreover, it is conclusively shown that not only was the most culpable apathy displayed by the great majority of the Provincial authorities in allowing or conniving at such excesses, but that little or nothing effectual has been done in the way of reparation. While 1,956 Bulgarians were arrested for complicity in an insurrectionary movement which was at no time of a dangerous character, only a score or so of the murderers of unarmed men, women, and children have been punished."—[*Turkey*, No. 1, 1877, p. 237.]

Then my hon. Friend (Mr. Bourke) excuses the conduct of the Porte because the Moslems believed they were to be driven out. The Under Secretary of State has no other excuse for the Porte, and he must concede that he is bound, from the tenor of his speech, to vote for the first Resolution of my right hon. Friend. I may refer to one or two other remarks on the subject of coercion. As far as I understand, the remarks on that subject amount to this—My right hon. Friend (Mr. Gladstone) did not recommend coercion by England alone. He did not even mean coercion by England and Russia together. What he desired to advocate was that what is required should be obtained by the whole of the European Powers. This is a very different thing. If the whole of the Powers unite in demanding or exacting from the Porte a certain course of proceedings, then, in the very nature of the case, the Porte must yield. What I desire for a moment or two to do is to comment on some of the speeches that have been made, and especially on that remarkable speech the hon. Member for Mid-Lincolnshire (Mr. Chaplin) delivered to us on Thursday afternoon. The remarks of the hon. and gallant Member for Berkshire also (Colonel Loyd-Lindsay) and all the hon. Members on that side have been based on undisguised hostility to Russia. My hon. Friend the Member for Mid-Lincolnshire said Russia meant war all along. ["Hear, hear!" *from the Ministerial Benches.*] I am much obliged to hon. Members on that side, who exactly confirm what I said as respects hon. Members below the Gangway at least.

MR. CHAPLIN: Perhaps you will allow me to say that what I said was it was generally said from what we know now that Russia had apparently meant to go to war.

SIR ROBERT ANSTRUTHER: I am glad to accept the correction of my hon. Friend, but I think his opinion can be gathered from another source. About a fortnight ago he made a brilliant speech at the Middlesex Conservative Working Men's Association, and in the course of that speech he said—

"If war arose, it would be due to the settled, deliberate, and determined policy of Russia, and to the criminal recklessness of those who last autumn so utterly misled her as to the true feeling of this country."

Was that a true statement of the case? I will concede at once that I have no more desire to see Russia mistress of Constantinople, in possession of the Suez Canal, and erecting a second Sebastopol on the Persian Gulf, than hon. Members opposite have. It appears to me that, either from prejudice or other causes, some hon. Members have not been able to take an unprejudiced view in that respect. I see the noble Lord the Member for South North-

umberland (Lord Eslington) in his place, from whom we are accustomed to hear safe and wise counsels. In his speech last Tuesday he said that he would not believe one word of one promise made either by the Emperor or the Russian Government in the matter. I do not think that was a statesmanlike expression. I do not think you can suppose that people outside, and certainly not people abroad, will imagine that you are arguing this question in a calm and dispassionate manner when you say that you will not believe one single word of the promises made by Russia in this matter. I have looked through all the documents laid on the Table of the House in relation to this question. I will not trespass on the House, but I will say there is no evidence in the Blue Book of any desire of Russia from the first to go to war. On the contrary, if we take the evidence in the Book, there is much evidence to the contrary. From the very first, Russia has desired to act in concert with the Powers. I do not think there is any difficulty at all in showing that. As long ago as the 13th of November she declared, through Lord Augustus Loftus, to the Earl of Derby, that above all things the desire of Russia was to act in co-operation and concert with England. [*Laughter.*] Of course, it cannot convince hon. Gentlemen on that side of the House who do not believe one word of what Russia has said. I do not think that Russia showed in the Andrassy Note, in the Berlin Memorandum, and at the Conference, that she was not acting in concert with other Powers. In the Conference, she went with Lord Salisbury to such an extent that at last a report was spread abroad that she was not capable of going to war, that her armies were incapable of marching, that she had no men and no horses. All this showed her sincere desire to act only in concert with the Powers. All the proposals of the Powers were rejected, all the proposals of the Conference failed, and Russia acts by herself. Is she to be blamed for acting by herself? I ask the House to consider her position in regard to the Slav population. There are in all 100,000,000 Slavs. ["No, no!"] At page 646 of No. 1 of the Blue Books there is a letter from Lord Augustus Loftus to Lord Derby, dated the 4th November, where he speaks of a conversation with a Russian nobleman of high rank and position, well-known for his admiration of England and all things English, and most anxious to maintain a good understanding between England and Russia. His opinion is that the Eastern Question was viewed throughout the nation, from the highest to the lowest, as one of religion and humanity, and that the feeling of the Christian Slavs was so powerful that the Emperor could not risk any opposition. No financial or any other consideration could turn them from the policy they believed to be their duty, and that of the 100,000,000 of the Slavonic race who were determined to liberate their Christian brethren, from the yoke of the Mussulman. Well, I do not think it at all wonderful that the Slavs in Russia should desire to free the Slavs of the Provinces from the yoke under which they groaned. I consider every man in this House desires to see them released from the tyranny of those who rule over them. That being so, I cannot conceive that Russia is to blame in acting on the instincts of her people, who desire to relieve the Slavs from the Turkish yoke. Now, I am perfectly well aware that my noble Friend the Member for Haddingtonshire (Lord Elcho), sitting opposite, is prepared not only not to sympathize with her in the relief of the Christian Provinces from the yoke of the Mussulman, but he has further put an Amendment on the Paper in which he desires to take the opinion of the House upon this matter, and he proposes to move—

"That this House, while anxious to promote the well-being of the Christian subjects of the Sultan, and of all races under his rule, condemns the interference of a Foreign Power by force of arms in the internal administration of the Ottoman Empire."

Well, Sir, if you are not to interfere by force of arms, how are you to interfere at all? And now we come to the question of my hon. Friend behind me (Mr. Courtney)—the question of coercion. I admit that I could not follow my hon. Friend in his argument where he spoke of the dismemberment of the Turkish Empire. I think he carried his argument too far, and I think he would not in that proposal find a large amount of support in this House. But it does appear to me that if you are to do anything at all, and not to rest satisfied with the

position in which Her Majesty's Government are, you must be prepared to take a more active and decided line than you have up to the present time adopted. There is no use in trying to blink the matter. My hon. Friend the Member for Liskeard has been taunted because he complained that the Government have pursued a policy of inaction instead of action. What has been the result of their policy? It has been said that the true policy of the Government is to maintain the integrity and independence of Turkey. But have they done so? They have not. It has been said, too, that their policy is to maintain the peace of the world. They have failed in doing so; but the hon. Gentleman the Under Secretary of State has said that if they have so failed, they have at least maintained the peace of the British Empire. The hon. Gentleman has taken credit to the Government for that; but that was not the programme with which the Government originally set out. The object they had in view was to secure the good government of Bulgaria and the other Provinces, and in that they have failed too. Now, ought they to have adopted any other course? This I believe—that if we are to come to any satisfactory conclusion, it will be necessary to arrive at a distinct and settled policy; and it appears to me that it ought to have been adopted at the time when Russia proposed an occupation of the Provinces. Prince Gortchakoff said that he believed those measures would avert war, and would ensure the better treatment of the Christians in Turkey. I think, Sir, we may rely upon this—that the Eastern Question cannot be settled without England; and the result of the policy which has been pursued by Her Majesty's Government is this—that the Power which is denounced from the other side as being all that is bad has been put by England into a commanding position from which you will hardly be able to move her. If Russia be all that hon. Gentlemen on the other side says she is, why have you allowed her to stand before the world as the only country that would make the smallest sacrifices in the interest of the Christians? Why is she in this position of protection, which you might have assumed if you had been so minded? You have by your own act put her into a position in which she has an immense advantage over you, if she desires to use it; and you will find that if she once makes her footing good in the Provinces, and you go to war with her, as some people wish you to do, you will find it exceedingly difficult to get her out of the Provinces; whereas, had you acted in friendly concert with her from the first, you would been able to share with her all the benefits she would derive from the sympathy of the Slav races, of which she is the only friend, and you would have been able at once, if you found she was going beyond the bounds she ought to go, to say—"I have been acting in concert with you; I have gone with you; and I am prepared to go with you so long as you fight for the protection of the Christian subjects of the Porte only; but the moment you go beyond that, I am no longer with you, and I am prepared, if need be, to resist you." ["Hear, hear!"] Yes, it appears to me that, sooner or later, we shall have to intervene in some shape or other. ["No, no!"] If any hon. Member has any doubt on that subject he has only to read the despatch of Mr. Jocelyn, Chargé d'Affaires at Constantinople, which was published on Saturday last. If what is stated in that despatch is correct, it will be impossible for this country to remain inactive, even if it was desirable. He says—

"There is no doubt that the present situation is an extremely critical one, and the country, torn asunder by the efforts made in so many different directions under the factions I have named, is drifting to a crisis which cannot long be delayed. A few weeks may suffice to determine its character, and it is the opinion of all serious politicians here that the part intended to be played by Europe in dealing with this country should, in order to be effective, be at once declared."—[*Turkey*, No. 15 (1877), p. 250.]

There can be no doubt that the present situation is one of extreme difficulty; that the country is divided by factions; and that a crisis is fast coming and cannot be delayed. If the view I take of the position is correct, Great Britain cannot merely stand aside. I have heard it is desired even now that this country might join with other countries in bringing this war to a close, and I saw in *The Times* of yesterday an answer which was proposed to be sent to Lord Derby's reply to the Russian Circular, and from which I gather that even now the Russian Government is willing to co-operate with our Government and other Governments in bringing this war to an end,

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and securing the objects she has at heart. ["No, no!"] It may very well be that my views are wrong views. But they are my own, and I have to thank hon. Gentlemen on the other side for the courtesy with which they have received them. I also thank most heartily my right hon. Friend for bringing these Resolutions before the House, and obtaining an expression of feeling from the House which will do more, I believe, to bring about a satisfactory solution of the matter than anything else.

LORD ELCHO: My hon. Friend who has just sat down (Sir Robert Anstruther) has expressed his astonishment that objections should have been raised on this side of the House to the action which was taken on Monday last in reference to the original Resolutions of the right hon. Gentleman the Member for Greenwich. He said that course was a very simple one, and it was an arrangement approved of and come to by the different Members on that side of the House as to what they thought best. For my part I confess that, looking solely to the interests of the country, and having regard to the course taken by hon. and right hon. Gentlemen opposite, I sympathize with the opinion so eloquently expressed by the hon. Member for Louth (Mr. Sullivan), when he said that at the present time, in the midst of events which might lead to such serious complications—as to which no man could foretel what the results would be—it was most desirable that the opinion and determination of England, which Europe is anxiously looking for, should be plainly and unmistakeably expressed as to what action she thought ought to be taken in this Eastern crisis. I think, with the hon. Member for Louth, it is greatly to be regretted that these Resolutions have, in the interest of a Party, not in the interest of the country, been altered, and partly withdrawn, their spirit, however, still remaining. If this had been done to prevent the position of England being misapprehended, I could have understood it; but what are we to say when we find that the object sought is simply to prevent further disorganization of the Liberal Party? Let us, then, hope that, whatever the result may be to the nation, the Liberal Party will not be further split up on this occasion; and that, at the end of this transformation scene, we may see the pleasing tableau of the right hon. Gentleman the Member for Greenwich lying down in peace with the noble Lord the Leader of the Opposition, and the junior Member for Birmingham (Mr. Chamberlain), while the senior Member (Mr. Bright) gives them his blessing. Such may possibly be the result upon the Party; but, as regards the question of coercion, have you succeeded in shirking it? Though the Opposition has tried to evade the question, they have practically failed to do so. I venture to think the course that has been pursued shows very clearly that the House of Commons as a whole would not entertain the project of coercion by force of arms. This is the feeling of the country as a whole; of this side of the House with one or two exceptions, and of the majority of those on the other side of the House. ["No, no!"] I repeat that, taken as a whole, the feeling of the Opposition is against coercion, and thus upon this point a large majority of this House will support the Government in the policy which it has adopted. The chief doubt that up to last Monday night existed in the minds of European statesmen was as to the attitude likely to be adopted by the English Liberals in regard to that particular branch of the question. That doubt was at once dissipated by the fact that the particular Resolution of the right hon. Gentleman the Member for Greenwich which embodied the principle of coercion, and also another proposal to the same effect, were withdrawn at the instance of a majority of the Members sitting on the Opposition Benches. ["No, no!"] Hon. Members may dissent from what I am saying, but I simply express an opinion founded upon fact; and I venture to say further that the right hon. Gentleman was forced to abandon the coercive part of his own proposals and to minimize the remainder into something which it is not easy to understand. Indeed, I do not yet know whether we have reached the "irreducible minimum." As a whole, then, the House of Commons opposes the idea of coercion, and in so far they disapprove of the action of Russia. The Resolutions now before the House are but a small portion of the great question which was raised by the proposals as originally drawn. As a whole, they state a fact, and indicate a policy, the fact being that

certain atrocities have been committed and that they remain unpunished, while the policy indicated is a policy of guarantees. I will not attempt to palliate the conduct of the Turkish Government in allowing the persons who instigated or committed the atrocities to go free; but I would ask the House to place itself, when considering a question of the kind, in the position of the Government affected. In the first place, you know how these outrages were exaggerated — ["No, no!"] — not in quality, but in number they were exaggerated. At the outset, it was said that 60,000 persons had been killed or deported; Mr. Baring subsequently put down the number at 12,000; but within the last few days the chief agent of the Bulgarian Relief Fund (Mr. Storey), who has lived much in the country, has stated that the number of persons, including Turks, killed in the course of the insurrection does not exceed 4,000. This is further confirmed by a letter which has been published from Mr. Hamlin, an American gentleman, who has resided in Constantinople for many years. Then, further, let it be remembered that if savage agents were employed in suppressing the insurrection, in deference to whose advice was that? In pursuance of the advice of General Ignatieff, who said that the outbreak was trifling and local—not worth the serious importance that would be given to it were Regular troops sent to deal with it, and that the Bashi Bazouks would be sufficient to cope with it. The means adopted may have been cruel; but do you think the Government of Turkey could afford to be very nice about the means of suppressing a rebellion which they thought might spread, especially when an alarming attack was made by a Circassian upon the Cabinet. Depend upon it, you will find every nation cruel in the use of means when it is frightened by having what it deems a great danger to confront, and that in its straits it will use whatever means are ready to its hands. The course taken by the English Government in regard to the insurrection in Jamaica and in India not very long ago are cases in point. In judging of the conduct of the Turkish Government as regards the non-punishment of those who have been condemned capitally, we must remember the state of public feeling in that country. The men who suppressed the insurrection were regarded by the Mahomedan population as having deserved well of their country, and the Government could not altogether overlook that feeling. Further, supposing it to have been easy to have confronted Mahomedan public opinion at the time by punishing the men who put down the rising, and to have executed Shefket Pasha, yet when the Conference was sitting, and our demand was made, somehow the Turks regarded its assembling as a proof that England was turning against them, and they felt that no good would come of attempts to conciliate English feeling at the risk of exciting Mahomedan hostility. The primary sentence passed upon Shefket Pasha has not, it is true, been carried out, but the secondary punishment has been imposed, and he has been banished to Bagdad. [*Laughter from the Opposition.*] That seems to excite the risible faculties of hon. Gentlemen opposite; but I can assure them it is no laughing matter for them or anybody else who goes there, for the plague at this moment is raging at Bagdad, and there is thus every hope for those who are thirsting for his blood, that in this indirect way the primary sentence of the punishment of death will be carried out. I do not wish to defend the action of the Turkish Government—in fact, I think that it would perhaps have been wise to execute the sentences passed in the first instance; but I ask the House as fair, straightforward Englishmen to consider what may be said on the other side of the question. So much for the first Resolution. The second involves questions of guarantees, and also involves a sort of negative policy of non-assistance, moral or material, to the Ottoman Porte. But this Resolution must be read in connection with the others; and I should like to know whether the right hon. Gentleman who has brought the Resolutions forward wishes, in reference to the revolted Provinces, to see guarantees established in the form of new Servias and Roumanias, or whether he would prefer a second Greece created by means of a second Navarino? The whole of this movement turns on the form in which guarantees are to be given, and on the mode of obtaining them. As regards the latter point, Her Majesty's Government are urged to adopt a variety

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of methods which range from remonstrance and moral pressure to military occupation and coercion. I do not say that Her Majesty's Government have been to blame in the manner in which they have sought to obtain guarantees from the Porte; but I think they have been somewhat inconsistent in the view they took of the nature of the guarantees to be required. If hon. Members will look through the Blue Books they will find that up to the time of the Conference all the guarantees which were to be obtained from Turkey were to be guarantees granted of her own free will—guarantees the result of and contained in the measures of reform which Turkey herself promised. At the Conference, however, the scene so far changed that the guarantees to be demanded were to be external to Turkish reforms, and were to be forced upon Turkey by the moral pressure of united Europe. They took the form of the nomination of the Governors of Provinces and of the appointment of a Commission by Europe, to see that the proposed reforms were carried into effect. These guarantees Turkey naturally refused, and it has been said that the Government had counterworked Lord Salisbury. But so far from this being the case, Lord Salisbury and those who went out with him from the Foreign Office were entirely ignorant of the character of the Turkish mind and of the feelings and the sentiments of that country; they disregarded altogether the warnings of those who were acquainted with the position of affairs at the Porte, and who pointed out that Turkey would not accept these conditions, and therefore that it was needless to propose guarantees which would trench on their independence and authority. If there has, however, been any inconsistency in the conduct of the Government upon the question, there is much justification for it, and their difficulties have not been lessened by the meetings out-of-doors, by the pamphlets and letters that have been published, and of which we have heard so much, or even by the speeches which have been delivered in this House. The Members of the Government had had a very difficult task before them to bring matters to a satisfactory settlement and to maintain peace when the interests of European States were as divergent as they were. I recollect an anecdote of the old coaching time to the effect that a coachman and a conductor respecting his driving by saying—"Ah, it all very well for you to talk; but did you ever drive three blind 'uns and a bolter?" I believe that the difficulty of accomplishing such a feat is nothing as compared with that which Lord Derby has had to accomplish in trying to persuade the Powers of Europe to unite upon this question. I believe that Russia has intentionally embodied in the different propositions made to Turkey, matters to which she knew it would be impossible for the latter to assent, and that she has used the Protocol, as has been well said by the Home Secretary, as a pistol to present at the head of the Porte, and that she has done so with the purpose of bringing on war. I know a gentleman who is thoroughly acquainted with the Russian Army, who months ago told me almost to a day when war would be declared, and my relative, Lord Lucan, who served with the Russians in 1828, and in the Crimean War, and is familiar with the character of the country to be traversed, told the Under Secretary for Foreign Affairs last October that there was no occasion for fear that war would break out during the winter, because it was impossible for the Forces to move, and that, therefore, we were perfectly safe until the month of April. And accordingly, in the month of April war has been duly declared. Therefore, everything goes to show that these negotiations were so many flies, thrown out to amuse this country and Europe until the roads became firm and the proper season for war had arrived. As regards the general conduct of the Government upon the question, it has been well described by a Whig statesman, Lord Fortescue, who said, after the Conference, that his impression was that Her Majesty's Government had, under circumstances of peculiar difficulty, conducted the foreign affairs of this country as well as most, and better than some. Who the "some" are I leave it to right hon. Gentlemen opposite to ascertain from Lord Fortescue. I, however, go beyond that, and assert that Her Majesty's Government, especially in the recent despatch of Lord Derby, have shown a due regard for the interests of this country, and have given fair, bold, and outspoken expression to the feelings of the English people upon this vital question. Reverting to

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the proposals of the right hon. Member for Greenwich, what he asks in his original Resolutions is a guarantee of autonomy for the disturbed Provinces of Turkey; but it appears to me that the autonomy thus desired is neither practicable nor desirable. Mr. Lawrence Oliphant, who was formerly Member for the Stirling Burghs, and well-known in this House, has an article in *The North American Review*, in which he says that there are 11 races and 11 religions in Bulgaria; that they hate each other most heartily; that the members of the different Christian sects are united only in one thing, and that is not in resisting the oppression of the Turks, but in the persecution of the Jews. These are the people you have to deal with, and if you want to test what Mr. Oliphant has said as to the state of Christian and Mahomedan feeling, you have only to refer to what took place at Constantinople at the close of the Conference. When General Ignatieff left Constantinople there was no address presented to him from the Christians of Turkey; but there was one to Sir Henry Elliot. In the popular Chamber, too, you have Christians voting against the interposition of Russia. As regarded the practicability of autonomy, even assuming that these different sects can be brought to unite for the purposes of autonomy, where does the right hon. Gentleman propose to draw his geographical line? Will he draw it North of the Balkans? If he does so, he will leave out the district which has suffered more than any other. Will he draw it South of the Balkans? If he does so, he will have the Greek element threatening war, as you will find from the address from the Greek community of Philippopolis presented to Lord Derby, in which they say that any delineation which placed their Province under Bulgarian administration, would provoke a new civil war between Greeks and Bulgarians. As regards Greece, it is a favourite dream with some politicians that she will yet acquire Constantinople; but this is the one thing which Russia has over and over again said she could never assent to. This was announced both to Lord Heytesbury and to Sir Hamilton Seymour by the Emperors Alexander and Nicholas. But the autonomy which the right hon. Gentleman desires is as undesirable as it is impracticable; for it is to be remembered that by the recent Constitution of Turkey, an autonomy has already been established of the widest kind—not an autonomy applicable to a Christian sect in a particular part of the Empire, but an autonomy extending throughout the whole Empire. Yet that is the sort of autonomy at which some Liberal Members sneer. ["Hear, hear!"] Yes, astounding as the fact may be, we find the Liberals sneering at this great gift of a Constitution granted by the Sultan to his subjects, such as the Emperor of Russia dare not dream of in his own dominions. I think we may pass by the sneers of the right hon. Gentleman the Member for Greenwich —[Mr. GLADSTONE: Lord Salisbury.] I dispute Lord Salisbury's authority upon this point, for I ventured to point out that if Lord Salisbury had taken the advice of those who knew the Turk, we should not have been landed in our present difficulty. But let us see what an authority whom the right hon. Gentleman will respect says about the matter. Lord Stratford de Redcliffe, to whom the right hon. Gentleman dedicated his pamphlet—I believe he did so without his previous knowledge, and that when the noble Lord read it, he was surprised at its contents—speaks of the Turkish Constitution as a thing of undoubted and almost unbounded liberality. "The reforms were adopted," his Lordship says, "under strong pressure from without;" and he adds—"Give them a fair trial, and it will turn out a reality." A fair trial! This was all that Lord Derby and the Powers asked in the last Protocol. I will therefore set the sneer of the right hon. Gentleman and other extreme Liberals in the House—such as the hon. Gentleman the Member for Burnley (Mr. Rylands)—against the words of Lord Stratford de Redcliffe. We have been asked to force either autonomy or guarantees upon Turkey; but I venture to think, if you once embark in the policy of interference in the internal affairs of other States, you will simply land yourselves in chaos. It is a most dangerous principle, and not to be thought of. People only talk about such interference when a country is weak, and they would not think of applying the principle to America. Moreover, in the present instance it appears that those who advocate interference would rather some one else did it, instead of doing it themselves. The

Crusaders of old went out themselves, and those who preached the Crusade accompanied them. Thus, in old days 60,000 Englishmen went to the Crusades, but our modern Crusaders stay at home and urge others to do their work for them, thus proving their faith in the great doctrine of vicarious sacrifice. I protest against such a method of crusading. It is said, however, that Turkey is a special case, and that the right of interference is based on the Treaty of Kainardji. I hold in my hand, however, a document drawn up by an able diplomatist—not Sir Henry Elliot—who is thoroughly conversant with Turkish affairs, and who clearly points out that a falsehood which ought to be exploded is the old one that by the Treaty of Kainardji Russia had a right to interfere in the internal administration of the Turkish Empire; and that all it did was simply to give her power of interference so far as regarded the form and toleration of the worship in the churches. Now, nobody contends that the rights of free worship have not been enjoyed by the Christian populations of the Ottoman Empire. The only thing that can by any possibility be construed into restriction in that respect is that they have not been allowed to ring their chapel bells. But as to that, within my own recollection, the Scottish Presbyterians were not permitted to ring bells in London, and a similar prohibition was applied to those who worshipped according to the Episcopal form in Scotland. It may, however, be fairly assumed that if Turkey is let alone, in due time civilization will have so far advanced, under the new Constitution, that the use of bells will be allowed there, and, in any case, the prohibition cannot now be looked upon as an intolerable grievance. Then it may be said that there are special grounds for interference in Turkey, and that we undertook the Crimean War for the sake of Turkey. No doubt, you have interfered there. You have not done so, however, for the sake of the Turks themselves, but for the sake of yourselves and the rest of Europe. You have unquestionably conferred benefit on Turkey and kept her alive; but that does not now give you the right to interfere in her internal affairs. Such a contention would be absurd, for if the fact of your having done something for the advantage of a country gave you a future right to interfere in her internal affairs, Spain, Italy, Sicily, and Belgium, and France also, in short, wherever a British Army has been, would come under your influence. Turkey is, no doubt, in a special position, in regard to the rest of Europe being guaranteed by Treaties; but that special position is no argument for coercion; on the contrary, it is entirely against it. So far from interference with Turkey being justified by Treaty, it is all the other way; she possesses a Treaty which distinctly guarantees her independence, and provides that, in the event of difficulties arising, they shall be settled by concerted action on the part of the great European Powers. If hon. Gentlemen opposite, under the guidance of so brilliant a Leader as the right hon. Gentleman, once embark upon a policy of interference with the internal affairs of other States and of refusing to execute guarantees which they have given, and of twisting them to purposes they were not intended for, we shall be landed in a quagmire of dangers and inconsistencies from which it will be difficult to extricate ourselves. We should, moreover, endeavour to realize the position in which Turkey is placed, and appreciate the difficulties of her situation. Do not let it be imagined that in defending Turkey I am defending Turkish misdeeds, or that my humanity is not as great as that of hon. Gentlemen opposite; but my feelings of humanity are not confined to the Christian inhabitants of Turkey, they extend to other people, and to other parts of the world where acts of injustice are perpetrated. Let us, then, see what is the character of the much abused Turk? He has been described as anti-human, as "the only anti-human specimen of humanity," and it is said that he is unspeakable; but this is not the opinion of those who have come in contact with him and who know him. On that point I wish to quote the authority of my hon. Friend the Member for the Kirkcaldy Burghs (Sir George Campbell), who has had much experience of Mahomedans in India, and who has, moreover, a well-regulated, well-disciplined mind, as in his *Handy Book* on the Eastern Question, from which I am about to quote, he says at its commencement that he agrees with every word in the speech of the Duke of Argyll. It is a case of "God Bless the Duke of Argyll." Well, he says, "there is a deal of good in the

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religion of the Turks;" that "our ideas regarding it are terribly coloured by ancient prejudices;" that "it is derived in a great measure from the same sources from which Protestantism eventually spring;" that "their religion affects their manners and daily life, perhaps more than does that of most Christians;" that "they worship God in a very earnest way"; and "that in the matter of sobriety alone, they have an enormous advantage over modern *quasi*-Christians." What the Permissive Bill may now effect the Mahomedan religion does effect; that many practical virtues are enforced by their religion in a high degree; that their prayerfulness and active belief in God much exceeds the easy-going religion so common among us. [*Cries of* "Question!"] I am speaking to the Question, because the policy of hon. Gentlemen opposite is very much influenced by the opinion which they entertain of the Turkish character, of which, perhaps, they have very little knowledge, except what they obtain from the columns of *The Daily News*. The high authority from which I am quoting goes on to say, that "it is, in a great measure, a mistake to represent the Mahomedans as fanatical;" that "it provokes him to hear people who ought to know better talk of this terrible Mahomedanism;" that "their supposed craving for Christian blood is a mere myth;" that "the freedom of religious belief and worship in many Mahomedan countries may be compared with the intolerance of many Christian countries;" that "the Moguls in India and the Turks in Europe exhibited the perfection of religious toleration." Can as much as that, I ask, with justice be said of the Russians? I do not wish to enter into the subject of Russian toleration; but, if I do, I may quote the testimony of Lord Shaftesbury in 1853, and our own Consuls in 1874, to show what is to be expected from it. It is well described in a pamphlet which has been put into my hand by Sir Patrick Colquhoun, in which it is asked what we should think if Dissenters of various denominations were driven between a line of policemen and riflemen to a church belonging to the Establishment, and there, with the gentle assistance of the sabre and the bayonet, forced to sign the abjuration of their faith, a sort of thing which occurs not unfrequently in Russia in the case of unorthodox Christians. But the subject of Russian intolerance is one upon which it is unnecessary to dwell, and I will pass for a moment to the present position of Turkey. If there is any disposition on the part of Turkey to be savage and fanatical, it should be remembered that she now finds herself face to face with her hereditary enemy, and that this result has been brought about by a system of intrigue on the part of Russia from first to last. That that is so is amply proved by the Reports of Consul Holmes and other evidence embodied in the Blue Book, and in referring to the subject I may be allowed to quote from the hon. Member for Poole's interesting *Life of Lord Palmerston* to show that that policy on the part of Russia is nothing new. Lord Palmerston, in reference to the Polish Insurrection, writing to Baron Brunnow, said—

"I am very sorry for you, but it serves you perfectly right for what you have been doing in Servia and the Turkish Provinces. Did you not send out *agents provocateurs* to stir up insurrection? Have you not imported into Servia and the Turkish Provinces, not by the high road, but through by-ways and mountain passes, 90,000 stand of arms?"

That is the opinion of Lord Palmerston as to the action of Russia at that time, and that is a pretty fair specimen of what has been going on ever since and recently. These are matters which, in dealing with the question before the House, ought not, I contend, to be left entirely out of sight. Now, as to the Resolutions of the right hon. Gentleman, speaking especially of the second, which provides that if the guarantees are not granted, we shall withhold all moral and material support from Turkey, it occurs to me that if those words mean anything they mean a great deal more than some hon. Gentlemen on the other side imagine, and perhaps more than even the right hon. Gentleman himself intended them to mean. If they mean that we are not to interfere for the sake of the Turks, no one will dispute with him, because none of us, as I understand, look to interfere for the sake of the Turks. But do they mean that under no possible circumstances are we to interfere? ["No, no!" *from the Opposition.*] Well, if that be so, then the Resolution is, in my opinion, open to the st n. I maintain that, unde stances, we shall

be obliged to interfere, and therefore the Resolution is a snare and an embarrassment to the Government, to the House, and to the other Powers also. That being the view which I take of it, I shall unhesitatingly vote against it. There is not, I may add, a word in it about Russia or England; but the right hon. Gentleman asks the House to trust the word of the Emperor, to emulate Russia's noble conduct, and throw over our traditional policy. Now, I maintain that the traditional policy of this country, and of all our great statesmen, is a sound policy—a policy which is summed up in a leading article of *The Times* as one of "lively and deserved distrust." For my own part, when I am asked to put confidence in Russia and in her moderation, all I can say is that I am unable to sing this new song. I cannot unlearn the history of the past; I cannot ignore the facts of the present; and that being so, I am not prepared to accept Russia as the Apostle of Christianity and civilization. I stand by the traditional policy of England, and I decline to sing this new song. I cannot approve the spread of Christianity and civilization by force and spoliation. We are told to trust to the word of the Emperor of Russia. I do not wish to throw any doubt upon the word of the Emperor; but it is well to remember that a Representative of the Emperor assured Lord Granville most solemnly that the Russians, if they went to Khiva, would not remain there. How has that promise been fufilled? And when the right hon. Gentleman the Member for Greenwich criticizes the words and actions of the Duke of Wellington in the despatches and letters written in connection with the Greek question in 1826 and 1827, where the Duke says—

"It makes me sick when I hear of the Emperor's desire for peace. If he desires peace, why does he not make it? . . . I put the honour of the individual out of the question, and I look at the case only as it relates to the powerful Monarch of a great Empire . . . I said I did not sit there to manifest confidence in any Sovereign, but to watch over the interests of this country."

Those words, to my mind, have the true English ring of Britannia metal—[*Laughter, and cries of* "Britannia"]—I beg pardon, I mean sterling metal. And I would rather have written them than be responsible for the acres of type in speeches, pamphlets, letters, and postcards with which this country has been deluged upon this question. There is not a word in the Resolutions about the interests of England, though there was certainly something on the subject in the right hon. Gentleman's speech. I listened to the first part of that speech, and considering the position occupied by the right hon. Member for Greenwich, for five years as Prime Minister of this country, I was astonished at the manner in which he sneered at and bespattered the fair name of England. ["Oh, oh!"] I venture to think that the interests of England should have something said for them, more than the "Previous Question," and it was in that belief that I ventured to Table the Resolution which stands in my name. As a matter of form, I cannot bring the Resolution forward; but, practically, it is a counterblast to the right hon. Gentleman's Resolution. As he has changed his front, the first part of my Resolution is unnecessary, for the House has practically declared against the principle of coercion, and therefore by implication has condemned the action of Russia. As to the second part of the Resolution in reference to what the Government should do, I am perfectly satisfied with what I have read of the excellent speech of the Secretary of State for the Home Department on the question of neutrality, and the despatch of Lord Derby in answer to the Russian Circular. In the latter part of my Resolution I express a hope, which I am sure every hon. Member will cordially reciprocate, as to the maintenance of neutrality in the war between Russia and Turkey. But I think every reasonable and rational man must admit there may be a time when you must draw the line. It may come sooner than you think. Persons cognizant of the state of the Russian and Turkish Armies, and the districts where they are engaged, believe that by the first week in July Russia will be in Adrianople, and by the first week in August in Constantinople, and others think even sooner than that. I have heard Count von Moltke maintains, from a military point of view, that if Russia crosses the Balkans she must go on. There is no position where she can stop with safety, and she must advance to Constantinople. It is not when Russia occupies Constantinople that it is time to speak. An in-

formant has told me that the views of Russia are to take Erzeroum, Kars, and Batoum, and to descend the Euphrates Valley as far as the plague will allow, and even to advance to the Levant and occupy Scanderoon. The transference of the control of the Black Sea from Turkey to Russia will follow, and we may even have, as one of the conditions of peace, the transfer of the Turkish Fleet to Russia. Looking at all these things, and to the interests of England, which the right hon. Gentleman must admit he has disregarded—["No, no!"] No? I think I have heard Sir Henry Elliot held up to scorn and odium by the right hon. Gentleman because he ventured to weigh in the balance the death of 4,000 of a Greek sect in the Turkish Empire against the interests of England. [An hon. MEMBER: 12,000.] Be it 4,000, 6,000, 10,000, or 20,000, I venture to say the interests of England are not for one moment to be weighed with the slaughter, sad and unhappy though it be, of these people. The interests of humanity, civilization, and Christianity are much more at stake in the maintenance of the Empire and interests of England than in the interests of a section of the Christian population of Turkey. I believe that the Government will stand by the interests of my country; while by maintaining a strict neutrality, so long as English interests are not affected by this war, that they will, in the words of my Resolution, take efficient measures so as to "enable them, should occasion arise, promptly to protect our interests and maintain our Empire in the East." And if they do this, whatever may be said to the contrary by a certain number of persons, who sympathize strongly with the Greek religion, and with the Christians in Turkey, Her Majesty's Ministers will, I am confident, be supported by the backbone and manhood of the nation.

MR. ANDERSON said, the House had just heard from the noble Lord exactly that pro-Turkish and anti-Russian speech which might naturally have been expected from him. He would admit that it was not an unfair speech from the noble Lord's point of view, with the exception of the remarks about the alleged sneers against this country by the right hon. Gentleman the Member for Greenwich, which remarks were in very bad taste. The noble Lord had spoken of Russia having all along tended to go to war, and he (Mr. And son) differed from him on that matt According to the noble Lord, Rus had merely contrived to pass the ti over until the approach of spring abled her to take the field.

LORD ELCHO: I said that a relat of mine told me in October that the R sians could not go to war till Apri that they could not march till the ro were dry.

MR. ANDERSON said, he thou that was pretty much the same th that he had said. He had underst the noble Lord to mean that Russia determined to go to war all the wh and that the Conference and all other negotiations were therefore fu But that was not in accord with opinions which had been held by Conservative side during the Confere They then held out to the public there would be no war, and the Gov ment were grounding their policy on certainty that Russia had no mone go to war with, and that therefore were quite safe in following a po which the Liberals called a weak vacillating policy, certain to drive Ru into independent action. The noble I said that the only reason we had fo terfering with Turkey was that we done her good; but the real reason interference was that while meanin do Turkey good, we had done great and wrong to the Christian Provin We had taken the protection of t Provinces away from Russia, and left them to Turkey, and that was we were bound to look after their fare. The noble Lord had also qu a passage from the book of the Member for Kirkcaldy (Sir Ge Campbell). According to his Anderson's) recollection, the rem quoted were applied by his hon. Fr to the Turkish people. [Lord EL Hear, hear!] But it was the Tur ruler that was the "unspeakable Tu There was a vast difference between Turkish people and the Turkish ru Then the noble Lord said the se Resolution meant a great deal or little; but he (Mr. Anderson) maintai that it meant exactly what it said— Turkey had forfeited all claim to support. It did not say that we not to interfere in her favour, if chose to do so. It only said that

had no claim on us for interference. He should have been content had the Resolution gone further, and said that we had no right to interfere, except for the defence of British interests. There had been a great deal of cavilling at the right hon. Gentleman the Member for Greenwich. One line taken was a mean sort of questioning of his motives. That was pretty much the line taken by the right hon. Baronet the Member for Tamworth (Sir Robert Peel), who spoke of the right hon. Gentleman's conduct as being mischievous and ungenerous, and said that the agitation was most unbecoming, and that the right hon. Gentleman had divided his Party and had entered into closer communion with the Liberation Society. Then there was another class, of which the hon. Member for the Isle of Wight (Mr. Baillie Cochrane) might be taken as an instance. The hon. Member did not impugn the right hon. Gentleman's motives at all, but thought him only weak, and said he got so excited by his own eloquence that he did things that were very blameworthy and wrong; he acted from the best of motives, but the blunder all the same was a grievous one. Well, he (Mr. Anderson) did not admit either of those lines of cavilling. He maintained that the right hon. Gentleman's conduct had been thoroughly right all along. The country had judged the right hon. Gentleman more generously, wisely, and justly, and recognized not only the grandeur and grasp of intellect, but the nobility of soul that was quite above everything small and mean. In the Autumn the right hon. Gentleman found a great outburst of national indignation, somewhat spasmodic, perhaps, somewhat unrestrained, but thoroughly genuine and spontaneous. He did not create it; he simply directed it into useful channels, and turned it to such purpose as to change the policy of the Government away from a national danger. It was because the country knew that he saved it from a danger then that it responded to him now. The right hon. Gentleman stood on far too high a ground to need any defence from him; but he wished such a defence could have come from some of the right hon. Gentlemen who sat beside him on the front Opposition bench; and he regretted that the right hon. Member for Bradford (Mr. Forster) did not take the opportunity of offering one last night. However, the right hon. Gentleman (Mr. Gladstone) would be judged by the country and by posterity; and he was sure that the verdict would be that, moved by a lofty patriotism that could rise above mere Party, now as before, the right hon. Gentleman had saved his country from an imminent danger. The Home Secretary made a speech the other night which had been to a great extent the keynote of the debate, and had given a very emphatic denial, on the part of the Government, to the charge of callousness and indifference which had been made against his Party. He (Mr. Anderson) wished particularly to know if the right hon. Gentleman meant to exclude from that disclaimer his illustrious Chief? It looked almost as if he did intend it, and it was whispered no doubt in the country that he had thrown over his illustrious Chief in the Cabinet Council on Saturday. [An hon. MEMBER: "No, no!" *and laughter.*] Probably the hon. Gentleman who cried "No, no!" had been made acquainted with the Cabinet secrets. He (Mr. Anderson) thought the country would wonder, when it saw by that disclaimer that both sides of the House had all along been actuated by exactly the same feelings of horror at the Bulgarian atrocities, at the enormous difference between the two sides in the mode of expressing those feelings. The country would remember that when hon. Member after hon. Member on the Liberal side last Session had risen to denounce those atrocities, the other side were absolutely silent. So well did Lord Beaconsfield dissemble his feelings of horror that he succeeded in convincing the country that he really was callously indifferent. Lord Beaconsfield said when the agitation commenced that the statements which were made were nothing but coffee-house babble, and yet they were now told that the noble Earl had the same feelings of horror as anybody else all the time. If the noble Lord was simply dissembling his feelings, all that he (Mr. Anderson) could say was that it was a very unfortunate thing for him to do. He remembered that on the 7th August, Lord Beaconsfield, who sat where the Chancellor of the Exchequer sat now, received with what seemed to be an incredulous sneer the statements which he (Mr. Anderson) made with regard to

the horrors afterwards proved to have occurred at Batak; but now they knew that the noble Earl was only dissembling his feelings. What had been the result of that dissembling and of that apparent incredulity. It was so terrible that it would take a whole life-time of good deeds to atone for it. The effect was to encourage the Turk in his policy of violation and carnage, to give the cue to Sir Henry Elliot in his policy of silence and suppression, and to guide all the Consular investigations, so that even now we had Consuls like Mr. Holmes sending in utter travesties of the truth. As for the rest of the Cabinet, the right hon. Gentleman said they felt as men and as Englishmen; but their private feelings did not matter. What the country wanted to know was, how they had felt as Ministers, and that could only be found in their policy; and he felt bound to say that but little trace of such feeling was to be found there. The past policy of Ministers, whatever their feelings were, had been one of favour to the oppressor and neglect of the oppressed, and there was little trace of sympathy in the despatches, except in the one to Sir Henry Elliot, referred to in the Resolutions, and in an occasional very mild protest by Sir Henry Elliot; neither despatches nor protests being followed up to any good end. And what of the followers of the Cabinet? If all their names were put in the ballot box on the Table, it would be hard to draw out one who had not had something to say in deprecation or in derision of those indignation meetings, which showed how the heart of the country was stirred during the Autumn. Coming to the Resolutions, he was one of those who cared very little what the special wording of them was. He could accept them all or more. All he wanted was, that the Liberal Party should speak out plainly, to show the country that they were still in opposition to the Government on this question. It had been said that the Resolutions meant coercion, and that coercion meant war. He was not sure that coercion meant war even in the future, but he was sure there had been a time, and a prolonged time, too, when coercion by united Europe—which was the only coercion in which Liberals believed—would have been effective and successful in procuring protection for the Provinces and in averting war. But it was Her Majesty's Government who had all along broken away from the concert of Europe. At the time of the Berlin Memorandum, Europe was united in favour of coercion, and England alone refused to join. Europe was again united with regard to a month's armistice, and Lord Derby then abandoned his own proposal, tried to force on the Powers a totally different proposal, got refused by Italy and Russia and snubbed by Germany, and then withdrew entirely and remained isolated for most of October, and thus became answerable for all the later bloodshed of the Servian war. Her Majesty's Government were entirely to blame for the failure of the Protocol, and for the failure of the Conference to which Lord Salisbury was sent with his hands tied by the declaration by Lord Derby on 19th December, that it was the settled decision of Government not to coerce. That made the failure a foregone conclusion; and, in fact, all the time he was utterly unable to convince the Turkish Government that Great Britain was in earnest. But it might be said all that was over and past, and that as war had commenced, we ought to take care to keep out of it ourselves, and he admitted that there was a good deal in that; but that ought not to be our sole object, for we had a grave responsibility on account of those Provinces. The future policy of the Government must be judged by the past, and that was why it was necessary to look at the past. He believed the Government sincerely meant their policy to conduce to the peace of Europe, but the Liberals all along denounced it as weak and vacillating, and as certain to fail, and it had failed. The policy of the past was likely to be the policy of the future—a policy of open neutrality along with a secret leaning—he could hardly, after the answer to Prince Gortchakoff, call it a secret leaning—to the Turks. It was, therefore, necessary for the Liberal Party to make a stand against that policy. The Home Secretary had said that only for certain specified British interests would we go to war, and these were Egypt and Constantinople. He feared there was danger to the country in that statement—he took the strongest objection to the view that an attack on Constantinople by Russia would be sufficient reason for us

Mr. Anderson

to go to war. We had forced Russia into independent action by refusing to assist her in securing protection for the Christian Provinces; and if Russia now thought, as she well might think, that her best course, as a belligerent Power, was to aim a deadly blow at the heart of Turkey—and she could best do that by threatening Constantinople—he held that we had no right to interfere to prevent her from doing it. If the Government wished to go to war with Russia about her threatening Constantinople, he would join any section of the Party, however small, and oppose them by every means in his power by refusing Supplies, by obstructing Public Business, by anything that could be done ot. compel the Government to go to the country on the question, rather than see this country go to war with Russia for threatening Constantinople. The only British interest which he knew of at present, which he would admit of as being a sufficient ground for our restraining Russia, would be an attack on Egypt. He thought we were bound to maintain our way to India, but our way to India was through Egypt, and not by the Bosphorus and Constantinople. He maintained that the pro-Turkish feeling of the Conservative Party had justified the agitation got up by the Liberals, for it was inflaming this country against Russia, and if it were not checked, very likely the next thing would be that the sentiment of the fear of Russia would become a sentiment of love and favour for Turkey, such as was entertained by the hon. Members for Christchurch and Canterbury. Then there were other hon. Members who, if they loved Turkey less, hated Russia more; and these two classes were driving the Government towards war for Turkey. The danger of the public being excited into a warlike feeling had been greatly increased by the silence of the Liberal Party; and the taunt that the Liberals were silent in Parliament after having spoken in the country, was not altogether undeserved. But its motive had been misunderstood; they were told early in the Session that negotiations were pending, and that their speaking out would only hamper the Government. That was the reason why they were silent. Perhaps they allowed that reason to weigh too strongly with them. But if they had spoken then, they would now be told that their speaking had caused the failure of the policy of the Government. He thought, therefore, that there was some argument in favour of their not having spoken out sooner. But as soon as the negotiations were at an end there was no longer an excuse for silence, and there had arisen a determination to speak out, and the mere announcement of the Resolutions had been enough to awaken the country, and to let it be known that the country was ready to prevent the Government from going to war on the wrong side. That was the thing which they had feared. The country knew that to fight for Turkey was to fight for the empire of tyranny, of brutality, of slavery, and of every vile thing which was abhorrent to the honest instincts of our people. The country knew that it was for Turkey that the East African deserts were white with the bones of poor captives. The country knew that the horrors of the slave dhows in the Red Sea, in which some 50,000 slaves crossed that sea annually, were due to Turkey, and those 50,000 slaves which crossed that sea were a small part of those who were torn from their homes. Regarding those 50,000, he would say one more word. They were told the other day that the Egyptian Government had sent a ship of war down the Red Sea for the suppression of the Slave Trade, and no doubt they would be told through their enlightened Consuls that that ship of war had found no trace of any slave traffic; that not one single dhow had been captured; and therefore it was absolutely certain that no such traffic existed. Why, the Khedive took care to give information for weeks beforehand of his intention to send that ship down the Red Sea, and no doubt the slave dhows took care to be well out of the way. The country knew also that it was for Turkey that the infamous traffic in Circassian slave girls was kept up; and that being so, it would be contrary to all their deeds and traditions, contrary to all their duties, contrary to everything they thought right, for this country to fire one shot or to spend one drop of blood in support of Turkey until she had purged herself of all those abominations and of all their vile adjuncts. He, for one, rejoiced that this issue of slavery was likely to arise out of this war. Turkey had spurned our advice and

laughed at our counsel; she had given us a *soufflet* in the face of Europe and the world. She had chosen the arbitrement of the sword. Let her take it. Once more it seemed to be a struggle of the North against the South—of freedom against slavery. True, the question of slavery had not arisen in the beginning of the war. Just as in the great struggle of North against South in America, the question of abolition was not the earliest object of that war, but was an after issue which sprung out of it; so he believed that the question of slavery would be one of the issues which would hereafter spring out of this war, and when the time came, as he believed come it must, when Turkey would have to sue for peace, he hoped this country would have something to say to the conditions of that peace, and that they would take care that one of those conditions should be the complete suppression of all slavery both in Turkey and in Egypt. They—the Liberals—had made their solemn protest, the object of which was that if they should be dragged into war they should not draw the sword in supporting wrong against right; that they should help the oppressed and the downtrodden, and that they should not fight for a tyrannical Government which they despised and for infamies they hated.

MR. NEWDEGATE: Mr. Speaker, as I am about to take a different course, when the division is called, from the great body of the Conservative Party which sits on these benches, I am anxious to address a few words to the House, assigning the reasons which actuate me in separating myself on this occasion from those with whom I have usually acted for so many years. I am about to take a rather prosaic view of the situation; and, first, I have to express my sense of gratitude to the right hon. Gentleman the Member for Greenwich for having undertaken the Leadership of public opinion upon this Turkish question. I do not myself go quite so far as the right hon. Gentleman in the phase of opinion which he has expressed with such matchless eloquence. In 1853 and 1854, at the commencement of the Crimean War, I had occasion to declare myself a pupil and a supporter of Lord Stratford de Redcliffe, and I have never found reason to regret my adhesion to a statesman who, for so many years, has manifested a greater knowledge of the Eastern Question, and a greater aptitude for dealing in an amicable, but decided, manner with the Ottoman people and the Ottoman Government than any other man; and at this moment I rejoice in the belief that there is no real difference between my own imperfect perceptions and Lord Stratford de Redcliffe's matured judgment. I know not what that noble Lord may think of the course I am about to adopt, but it seems to me that the right hon. Gentleman the Member for Greenwich, in the first Resolution which he has recommended to the House, in a speech that I do not remember to have been surpassed, either within these walls, or within the walls of the old House of Commons, distinctly affirms the policy enunciated by Lord Derby in his despatch of the 21st of September, 1876. And what is that policy? The dispatch affirms the right of this country, as one of the Powers who were engaged in the Crimean War, and after all the sacrifices which this country made during that war, it affirms the right of England upon that score to express an opinion upon the conduct of the Turkish authorities towards their Christian subjects. Now, I have heard it disputed whether Russia had, previous to the Treaty of 1856, a right to intervene; but I can cite the authority of Lord Russell in 1853, to the effect that Russia possessed that right, and that the then evil was that she possessed it exclusively. I hold, Sir, that this is a matter for the exercise of mature judgment on the part of this House for the present with a view to the future. I approve of the discretion of the right hon. Gentleman in abandoning his two last Resolutions, because I contend that it is not the function of this House to interfere actively with the foreign policy of the Government. It is the function of Her Majesty's Ministers to conduct our foreign policy, to make peace, and to make war. It is our function to judge of their conduct after their conduct has taken effect; and by the two Resolutions which the right hon. Gentleman now proposes he asks that the House shall affirm the policy enunciated in the despatch of Lord Derby, to which I have referred; and, going beyond that, he also proposes that this House, after it has affirmed that policy, shall declare its opinion, that unless the Ottoman Government conforms to that policy, it is

not worthy of and shall not receive either the moral or material support of this country. I confess, Sir, that I do not understand why Her Majesty's Government, who have of their own free volition proclaimed neutrality, should object to the House of Commons affirming their previous policy, which we have no reason to believe that they themselves are prepared to abandon, and on the rejection of which by the Ottoman Porte they declared the neutrality of this country. I do not understand, I say, why Her Majesty's Government should object to such a declaration on the part of the House of Commons. And when I look at the Amendment of the hon. Gentleman the Member for Christchurch (Sir H. Drummond Wolff), which is in these words—

"That this House declines to entertain any Resolutions which may embarrass Her Majesty's Government in the maintenance of peace and in the protection of British interests, without indicating any alternative line of policy,"

I cannot forget that the hon. Member for Christchurch found it convenient to abandon his original intention of moving the "Previous Question," because if he had moved the "Previous Question" upon these Resolutions, he would have proposed that the House should abandon its function of expressing a judgment upon the conduct of Her Majesty's Ministers in their foreign policy after that policy had taken effect. It appears to me, then, that this Amendment of the hon. Member for Christchurch was drawn up with a view to the two latter, and not the first two Resolutions of the right hon. Gentleman the Member for Greenwich, since the last two Resolutions contemplate a future policy. Now, I would not have voted for these two latter Resolutions, however I might agree with them in substance, for this reason—I hold that it is not the business of the House of Commons to dictate a foreign policy beforehand to Her Majesty's Government. I hold that that is beyond our function, and I regret that Her Majesty's Government should have given their sanction to this Amendment, because it appears to me to infer, that the House of Commons has no right to judge of the past and actual conduct of Her Majesty's Ministers. I, for one, will not consent, on the part of the House of Commons, to abdicate that great and important function of judging of the conduct of the responsible Ministers of the Crown. I listened attentively to the speech of the noble Lord the Member for Haddingtonshire (Lord Elcho), and it seemed to me that the Crimean fire was still burning within him—his speech and those of some other hon. Members on this side of the House reminded me of what was once said to me out hunting in Northamptonshire—"Their regimental riding is perfectly terrific." It seems to me that they decline to review the conduct of Her Majesty's Government, but are satisfied with declaiming against Russia. I think it much to be regretted that Her Majesty Ministers did not take action in co-operation with the three Northern Powers, as was proposed to them in the Andrassy Note—that they did not join in addressing Turkey in decided language in support of that document. [The hon. MEMBER: The Berlin Note.] The Berlin Memorandum was not issued till May, 1876; the Andrassy Note reached Her Majesty's Ministers in December, 1875; the Berlin Memorandum is dated May, 1876. Their may have been reasons for Her Majesty's Government not accepting the offer which was tendered to them by the three Powers; but if there were such reasons I lament, that they delayed so long in originating some decided policy of their own for the prevention of these sad disturbances in Turkey, and for the avoidance of any pretext for a declaration of war on the part of Russia alone. My belief is, that decided action on the part of the Powers, when the Andrassy Note was issued, or even so late as on the appearance of the Berlin Memorandum might then have induced acquiescence on the part of Turkey. It is my feeling that the Ottoman Government have believed, that our remonstrances and those of Europe have not been made in earnest that induces me to vote for the Resolutions of the right hon. Gentleman the Member for Greenwich. What do those Resolutions imply? They imply this—that Turkey having been saved by the exertions of England, France, and Italy united, from subjugation by Russia between 1854-1856, and her position in the European comity of nations having been granted by those same Powers, that these Christian Powers have a right to intervene, when outrages are committed upon the

Christian subjects of the Sultan, which appear to have originated in differences of religion. The noble Lord the Member for Haddingtonshire has dilated upon the tolerant feeling among individual Mussulmans, and in the Ottoman Government. He even said—"Cite me a single instance of a refusal by the Ottoman Government of a site for a Christian church." The noble Lord can never have read—one might doubt whether he had ever heard of—the Treaty of Kainardji, one principal article of which stipulates for the right on the part of Russia to erect and to protect a Christian Church of her rite in Constantinople, while other articles in the Treaty of Kainardji were framed for the express purpose of insuring tolerance to the Greek Churches in the Turkish dominions. The noble Lord went so far, that he reminded me of the speech which was made by the hon. Member for Galway, last night, who, speaking as a Home Ruler, said he thought it was better, that occasional outrages of the Bulgarian type should occur than that the Russian form of government, than that the system of the Russian Church, should prevail. For my part I do not believe in the tolerance of the Mahomedan religion. For what, Sir, caused the liberation of Greece from the Ottoman dominion? Was it not that a series of outrages, of tortures and impalements, the violation of women, and the murder both of men and women, at last drew down upon Turkey the outraged feelings of Europe? Turn to the page of history and you will find that such outrages as these Resolutions condemn had repeatedly occurred before and during 1826 and 1827; before the battle of Navarino, and in a form quite as aggravated as that which we all unite in condemning. I desire, Sir, that it could become part of the International Law, that when any State exists by guarantee, and is thus rendered to a great extent irresponsible, that the Powers, who guarantee that State and, thus render it comparatively irresponsible, should have the right to exact complete religious toleration towards its subjects from the State so guaranteed. Now, how is International Law created? It is the embodiment of public opinion emanating from one State and adopted by others. It has not the specific sanctions of municipal law; but it has a much wider operation, and it seems to be that when several States unite to guarantee another State, and thus render that State irresponsible, because its existence thereafter no longer depends upon its own strength, it would be a wholesome and a peaceful principle, that this country should, in its own case and by its example, originate this system, that the guaranteeing Powers, who become responsible for the integrity and qualified independence of the State they guarantee, shall also become responsible for the toleration, that the guaranteed State shall, in all matters relating to religion, extend to its subjects. I thank the House for allowing me to express the grave and prosaic motives which actuate my vote in the present instance. I have observed that recollections of the war from 1854 to 1856 have induced many hon. Members of this House to forget what great changes have come over the Government of Russia since that Crimean War. The late Emperor Nicholas was a gallant soldier, but he was an intolerant Governor, and anything but peacefully disposed. He proposed to this country to join in the partition of Turkey. He offered England Egypt, if she would agree to his possessing Constantinople. But the present Emperor, made wiser than his father by experience, has striven to maintain peace, and, it should not be forgotten, he has accomplished the greatest act of liberation known in our days—the liberation of the serfs in his own dominions. I heard with sincere regret the noble Lord the Member for Haddingtonshire rake up the melancholy occurrences which have taken place in Poland in order to use them as a set-off against the Turkish outrages in Bulgaria. The right hon. and learned Baronet the Member for Clare (Sir Colman O'Loghlen) recently moved that a despatch with respect to Poland, written in 1863 by Earl Russell, should be reprinted, and placed in the hands of hon. Members of this House. That despatch was an indictment of the conduct of the Russian Government, and that indictment was issued by the English Foreign Secretary upon imperfect information. I, therefore, asked Her Majesty's Government to accede to a Motion for the reprinting of Prince Gortchakoff's despatch of 1867, to which they consented; and that despatch has been re-printed.

Mr. Newdegate

And why? Because any hon. Member who may take the trouble of reading that despatch will find that the severities in Poland, to the exercise of which the Emperor Alexander was reduced, were occasioned by an insurrection during 1863, 1864, and 1865, which had throughout been stimulated by the Vatican, while treacherously negotiating with the Emperor of Russia, who desired a Concordat with the Holy See, meanwhile fomented an insurrection during which his officers were poisoned. ["No, no!"] I say "Yes;" an insurrection, during which every means that malice could devise was used to destroy his authority. ["No, no!"] I speak from documentary evidence, when I say that the Emperor was obliged to resort to severe measures. I have no love for the Russian form of government; but I cannot deny that that Government is tolerant of the religions of different communities within its dominions. ["Oh oh!"] Yes, I repeat it. But, at the same time, the Russian Government will not permit this—it will not permit proselytism. I will not attempt to justify that prohibition to the Russian extent; but that is the law of Russia. Every community in Russia is protected in the exercise of its religion, but it must not proselytize; and it was because a system of proselytism and insurrectionary agitation, originating with the Court of the Vatican, as is proved in that despatch, was being actively carried on, that the Government of Russia resorted to repressive measures. But even, if you take what happened in Poland and set it against the outrages, the rapes, the murders, and the impalements in Greece of 1826, 1827, and even in 1828, and again the murders, the rapes, the impoverishment, the tortures, the cruelties that have been perpetrated in the revolted Provinces of Turkey within the last 18 months, there can be no doubt which aggregate of suffering is the greater. Russia may have been severe, but she has not been brutal. Still, while looking forward to the future, it seems to me probable, that it may be necessary that we should in some way again co-operate with the Turkish Government. I value the declaration of the right hon. Gentleman the Home Secretary that, as a Member of the Government, he would be prepared to take every means for the defence of Constantinople, for the defence of the Suez Canal, for the defence of the highway of the world between West and East in which English interests are the most concerned. I do not, Sir, altogether trust the Government of Russia; but at the same time, I cannot forget that Russia was the great Ally of England in vindicating the freedom of Europe from the tyranny of the First Napoleon, and that without Russia we could not have vindicated that freedom, and that without Russia England could not have established, by the Treaty of Vienna a peace which lasted 40 years. I have not forgotten all this. At the same time I know that the Emperor of Russia is liable to be overborne by a military caste in the Russian aristocracy and other classes—a military caste, whose support he is obliged to cultivate in order to maintain the connection of his vast dominions. I know that the Empress Catherine is said to have declared that external war is preferable to domestic disturbance, and I know that Russia has acted upon that principle. Therefore, while not trusting Russia blindly, I am not prepared to join in the denunciations of that country, and her Ruler of which we have heard so much from these benches, and which I believe to be rather a remnant of the hostility against Russia, which was generated by a former state of things than dictated by statesmanlike views. I am not prepared to join in these wholesale denunciations of Russia, and I shall vote for the first two Resolutions proposed by the right hon. Gentleman the Member for Greenwich, in order to affirm this principle—that, whenever England may guarantee the integrity of any State, she ought to be in a position to demand toleration for all its subjects.

MR. SHAW LEFEVRE said, that, while willing himself to support the Resolutions of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) he could not concur with the hon. Member for Liskeard (Mr. Courtney) that his right hon. Friend was to blame for not pressing them in their original shape; for had he done so, the division would not have shown the real opinion of that side of the House. Neither was his right hon. Friend in error in that he had submitted too large a proposition to the House. His right

hon. Friend had not abated one iota of his policy. He only asked the House to divide on his first Resolution, but he retained the whole, and the discussion of three nights would be mainly on those propositions. A very great advantage had arisen from the discussion of this great subject. In the first place, it brought out that the opinion of the country, as manifested by great public meetings, was similar to what it was last autumn. It was said that these public meetings had been got up. He presumed that public meetings must be called by somebody, but then it did not follow that people would come. Something like 300 meetings had been held in different parts of the country upon the question, and that fact alone would give a fair idea of the state of feeling. It had also blown to the winds the war policy which had been lately woven by the Tory Press. It had compelled the Government to turn the peace side of its policy to the front, and he thought the Government ought to be obliged to his right hon. Friend for giving them an opportunity of eliciting the opinions of the country. Then, the discussion had elicited from the Home Secretary a speech with which most hon. Members on that (the Opposition) side agreed. Then there was another thing which the debates had elicited; there had been apologists for Turkey, but there was not one, except the hon. Member for West Cumberland (Mr. Percy Wyndham) who had ventured to rise and maintain that we should fight to preserve the integrity of Turkey and to maintain the Treaty of Paris. The policy enunciated by hon. Members opposite who favoured Turkey appeared to be a policy of general neutrality, tempered with a certain regard for British interests. That was what they sheltered themselves behind. But the Home Secretary had said that British interests were a long way off. [Mr. CROSS: I hoped they were.] The right hon. Gentleman stated that British interests lay in the direction of the Suez Canal, of Alexandria, of the Bosphorus or the Dardanelles, but he cared very little about Batoum, or even Bulgaria. We had, therefore, no fear of being hurried into a war on behalf of British interests, and the Country would have time to consider the question. The Home Secretary endeavoured to prove that there had been no difference within the last few months in the opinion of his Colleagues; but the whole speech of the right hon. Gentleman showed a difference of tone from the earlier speeches of Lord Derby. It seemed scarcely possible that the right hon. Gentleman could have been a party to the noble Lord's despatch to Prince Gortchakoff. [Mr. CROSS: I argued from it.] That there had been differences of opinion among the right hon. Gentleman's Colleagues during the last 18 months must be apparent to any one who read the papers and watched the question. The Government had either altered its policy, or there had been a difference of opinion, and of these two alternatives he thought the latter more charitable. What his right hon. Friend the Member for Greenwich proposed was, that the Government should endeavour to restore the European concert with a view to the protection of the interests of the Christians in the East, and in that respect he differed materially from the hon. Member for Liskeard, who would be ready to take action against Turkey without any European concert. The European accord was first impaired at the time of the Berlin Note. The Berlin Note was proposed by the Three Powers; and, as the Government said, it was rejected solely because this country had not been consulted. The Under Secretary of State for the Foreign Office had justified that rejection on the ground that the adoption of that Note would cost Turkey £3,000,000 in building the houses of the Bosnian refugees; but it appeared from the famous letter of September that Turkey was expected at any rate to re-build the houses of the Bulgarians. He would quote part of a despatch reporting a conversation between Lord Lyons and the Duc Decazes with reference to the Note. It appeared that the Duke had expressed his surprise and regret at the refusal of the British Government; that he feared that an armistice was then impossible, and took a gloomy view of the consequences which might follow in the form of a continued spread of insurrection, the ultimate dismemberment of the Turkish Empire, and a European war; adding that it would be a public calamity if England were to stand aloof. That was the opinion of the French Government, who had not been consulted any more than ourselves

by the Three Northern Powers as to the Berlin Note, yet that Government had given its consent without hesitation, and, in the opinion of the French Minister, our rejection of that Note had been most unwise. It was yet possible that all the consequences which had been prophesied by the French Minister might become true. The accord of Europe having been first broken by our rejection of the Berlin Note, then had occurred the atrocities, and he need not remind the House that Her Majesty's Government, after the Autumn agitation, yielding to the manifest feeling of the country, had changed its policy. He did not blame the Government, for he thought it a most wise change. Again, they had endeavoured to act in accord with the rest of Europe, and that had brought about the Conference and the Mission of Lord Salisbury. The Instructions of the noble Lord and his acts at the Conference had given universal satisfaction to the country; but it appeared to hon. Members on his side of the House that, though a very proper course had been taken in thus endeavouring to restore the accord of Europe, yet that attempt had been doomed to hopeless failure, because, although it was made known to the Turks that this country would no longer give them support, every act of the Government was calculated to make the Turks believe that we were not in earnest, and would not use coercion. First among these causes of failure came the Mansion House speech of Lord Beaconsfield, in which the friendly communications from the Emperor of Russia were suppressed. Next came the action of Sir Henry Elliot at the Conference. It was evident that the Ambassador had taken an opposite course to that of Lord Salisbury, and had acted as the marplot of the Conference—there was also the fact that Engineer officers had been sent to Constantinople to report on a scheme of defence for Constantinople at the very time when the Conference was sitting; and lastly, there had been the tone of the speeches of the Government supporters and of the Tory Press—neither of which had been checked by the Government. All these acts were calculated in every way to make the Turks believe that they might count on the assistance of England, and that the general tendency of the Government was in favour of Turkey. Nothing could have been more injudicious again than our informing the Turkish Government at a most critical period of the Conference negotiations, that whatever might be the result of those negotiations, England would not force the conclusions of the Conference upon her. That was a most grave diplomatic error, for it was throwing away the only chance which Her Majesty's Government had of inducing Turkey to give her assent to the conclusions of the Conference. He was of opinion that after calling the Conference, the Government ought to have used pressure to induce Turkey to assent to its conditions. It might be said that that would have been an act of war; but in his opinion it would have been the only way of avoiding war and securing the peace of Europe. It had been said by the Under Secretary of State for Foreign Affairs, that the other great Powers of Europe were unwilling to use compulsion against Turkey; but listening to the extracts which had been read to support that proposition, he (Mr. Shaw Lefevre) had come to the conclusion that what the foreign Powers objected to was the territorial occupation of any part of Turkey. Austria had been cited as objecting to compulsion, but he would remind the House that it was Austria who, while she had objected to the occupation of Bosnia, had suggested a naval demonstration against Turkey, and there was no doubt both France and Italy would have united in such a demonstration, and that if it had been made the assent of Turkey to the conclusions of the Conference would have been obtained. From neglect, however, of using any one of the several modes which existed of bringing pressure to bear upon Turkey, every hope of success had been lost, and the Conference had proved a failure. When the noble Lord opposite (Lord Elcho), and other Speakers said that an opportunity should have been afforded to Turkey to work out her own reforms, and that the meeting of a Parliament in Turkey was a most important event, he would ask permission to quote an extract from a despatch written from Rustchuk by Consul Reade to Lord Derby. It ran as follows:—

"I have been making diligent inquiries as to the state of public feeling in this vilayet, and I am now in a position to lay before your Lordship the result up to the present moment. The

employés of the Government in general are very elated from the results of the Conference, and are by no means dejected from the prospects of a war with Russia. They get their pay, and appear to think they have little to lose. It is very different, however, with the people, Mussulmans as well as Christians, who know they have everything to lose, and who continue to suffer as much as ever from the incorrigibly deplorable system of government which they are under. Indeed, if anything, the state of things is worse than ever. . . . . I am assured . . . . that were a foreign force (a Russian one alone excepted) to make its appearance in this Province, it would be received by the whole population, Mussulman as well as Christian, minus the employés, with open arms."—[*Turkey*, 1877, p. 188.]

Could anything have shown better the *fiasco* of the Conference, at which Lord Salisbury had been permitted to menace Turkey with a Russian war? It was consequently not fair now to abuse Russia for coercing Turkey. It could not be desirable to give Turkey further opportunities of reform, and the opening of a Turkish Parliament could have no important effect, considering that the Christian Deputies were nominated by the Government. The promises of that Parliament came to nothing, and certain decisions already were fatal to all reform. One of these was that no Christian Governor could be appointed, and another that no Christian should be in the Army. He wished to direct the attention of the House for a moment to the state of the Provinces of Bosnia and Herzegovina, which were the original cause of the insurrection, but to whom since the Bulgarian atrocities very little notice had been accorded. He did so, because the Under Secretary of State for Foreign Affairs had read a despatch from Consul Holmes describing the state of Bosnia in glowing terms. He (Mr. Shaw Lefevre) had been in constant communication with a relative in one of those Provinces, and from all the accounts he received, and which he believed to be of an authentic character, he was in a position to say that the statements of Mr. Holmes were wholly unreliable. He could not but think that the Government had been misled, but not wilfully, by that gentleman, who himself said he was reported to be a passionate Turkophile. Mr. Holmes only knew Turkish and was unacquainted with the language of the Native population, and whose communications with them were made entirely through the Turkish authorities. Consul Holmes had informed us that there was no insurrection at this moment in Bosnia, that the few so-called insurgents were a mere band of brigands, and that the refugees from Bosnia had been driven away, not by the atrocities of the Turks, but by fear of the insurgents. In both these respects Consul Holmes was completely misinformed. Upwards of two-thirds of the whole Christian population of Bosnia and Herzegovina had fled across the frontier. There were about 110,000 in Austria, and nearly the same number in the two Provinces of Montenegro and Servia; they had been driven away from time to time by bands of Bashi Bazouks, who committed every kind of atrocity. He was informed, on good authority, that no fewer than 1,700 villages in Bosnia and Herzegovina had been burnt. [Mr. Bourke: Name!] He would give his authority to the right hon. Gentleman, but he must decline to state it to the House. He might, however, mention one authority—namely, Mr. Evans, the author of a book of travels in Bosnia. If the Under Secretary of State for Foreign Affairs had any doubt on the subject, he would refer him to the despatch of Vice Consul Freeman, dated March 17. Mr. Freeman spoke of the atrocities committed by the Turks, of the great extent of the insurrection, and of the refugees having been driven away by the atrocities of the Turks. Numerous refugees had, doubtless, been permitted to return to their country; but in almost every case in which they had returned, they had been received with such dreadful acts of cruelty that they had been driven back over the Austrian frontier The condition of Bosnia and Herzegovina was so terrible that measures should be taken to ameliorate it. He asked whether some responsibility for that condition did not rest on England? It appeared to him that it was the duty of this country in every respect, as a matter of honour and justice, to do something for the unfortunate Christian population in these Provinces in the East. In conclusion, he would simply say that the honour of the country and the interests of peace of Europe were involved in proceeding further in the direction pointed out in the Resolutions of his right hon. Friend, and therefore he intended to give them his cordial support.

Mr. J. R. YORKE said, if he had believed that this country could at the

present time do anything to ameliorate the condition of the unfortunate Christian population of Bulgaria, he should have listened to this debate with more interest and pleasure than he had been able to do. The debate had been protracted and important, but he submitted that between the two equally harmless propositions which they had been debating there was hardly a penny to choose. The speech of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) in which he so eloquently denounced the Turks, could not possibly in the present crisis do either good or harm. It reminded him of the celebrated curse in the "Jackdaw of Rheims"—

> "He cursed him in living, he cursed him in dying—
> Never was heard such a terrible curse;
> But what gave rise to no small surprise,
> Nobody seemed a penny the worse."

Two years ago he (Mr. J. R. Yorke) brought a Motion before the House, which he thought at the time might have been of some service. At that time the right hon. Member for Greenwich was engaged in pelting the Pope with pamphlets, and did not come down to do him the honour of listening to the arguments with which he supported his Motion. He at that time called attention to the threatening condition of affairs in Turkey, and strenuously urged the Government before it was too late to try what urgent remonstrances might do with the Porte. The only official support he obtained was that given him by his right hon. Friend the Member for Montrose (Mr. Baxter), who came forward manfully and supported the statements which he had made. Possibly there was then time, though not too much, to save the Porte if active measures had been taken. The Under Secretary of State for Foreign Affairs stated on that occasion that the progress of Turkey was slow but sure, and that he did not think the Christian subjects of the Porte had much to complain of. The progress of Turkey might have been sure, but it certainly was not slow, for within three months from that time the bankruptcy of Turkey was announced, and within four months the rebellion in the Herzegovina broke out. What an age separated them now from two years ago. They were somewhat in the position of the friends of an estimable gentleman, the late Mr. Odger, whose remains were recently followed to the grave by several hon. Gentlemen opposite. Mr. Odger not being a good financier, lived and died in poverty, and his body was accompanied to the grave by a large number of admiring friends, who, if they did not assist him during his life, were anxious to show their respect for him after his death. In the same way when they in England could have done something to save the Porte from impending bankruptcy they held their hand, and now they were called together on that solemn occasion to shriek over the grave of the independence and integrity of the Ottoman Empire. He also endeavoured on the occasion to which he referred to point out the numerous grounds of hope, some of which still existed, for the restoration of Turkey. It should be remembered that she had passed through severer trials than the present. After the battle of Navarino her fleet was destroyed, her integrity was interfered with by the creation of the Kingdom of Greece, she had lost her ancient military force by the destruction of the Janissaries, and her very existence was threatened by the revolt of Mehemet Ali. Yet she had survived these calamities, because in primitive Oriental societies recovery followed more quickly on misfortune than in societies of a more complex character. If, at the time Sultan Abdul Aziz was dethroned by a successful revolution there had been secured for Turkey a short interval to take breath, it was possible she might have reformed her ways and peace been secured. But the ambition of Russia was the obstacle that stood in the way. All who had followed the various phases of the Eastern Question would agree with what was stated in the Turkish manifesto as to the machinations of Russia and especially of her Ambassador, General Ignatieff. In his opinion the manifesto of the Turks was both dignified and true, and as a proof he would refer to a despatch dated December 10, 1876, from Sir Henry Elliot to Lord Salisbury to show that the former believed it to be an entire delusion on the part of the English newspapers to suppose that, provided the Marquess of Salisbury and General Ignatieff could come to an understanding upon the measures of reform to be expected from the Porte, no further difficulty need be apprehended, as the acquiescence of the Imperial Govern-

[*Fourth Night.*]

ment would be a matter of course. Sir Henry Elliot added—

"The united action of Great Britain and Russia must have immense weight with the Porte, but the influence of Her Majesty's Government as a friendly adviser is not what it was a short time ago. The declaration of important personages that the Turks must be driven out of Europe causes a feeling of distrust against anything we may recommend in concert with Russia. Convinced that Russia intends to attack it, the whole nation has resolved to offer the best resistance in its power, and that resistance will certainly be stubborn, though possibly futile; but the Turks say there would be less discredit in being driven by force from their territories than in being cajoled out of them."

In a conversation, too, between Captain Ardagh, R.E., and a Turkish gentleman it was remarked pointedly that

"the confidence which had long been reposed by the mass of the Mahomedan population in England as their best friend and adviser was rudely shaken by the expressions employed by Mr. Gladstone in regard to them, and that, although they were convinced of the friendly attitude of the present Government, they were bound to consider that, in a Constitutional country like England, Mr. Gladstone's Party, as they described it, might any day come into power and reverse the policy of their Predecessors."

There was one subject to which he wished to refer before he sat down, and that was, he wished to call attention to the undignified position in which we stood with regard to the Tripartite Treaty, by which France, Austria, and England guaranteed the independence and integrity of the Ottoman Empire, and agreed that any attack upon Turkey's independence would be considered by them a *casus belli*. Now if the second Resolution of the right hon. Gentleman were carried, what position would this country find itself in, supposing—which he admitted was not very likely to happen—that we were called on by France and Austria to make war under the provisions of the Tripartite Treaty? We would find ourselves in the ambiguous position of having passed a Resolution in the House of Commons at once in contravention of Her Majesty's Declaration and of our international obligations. He was surprised that the right hon. Gentleman did not make this Treaty the object of his attack, for on a former occasion he made a statement in reference to the Treaties and the different guarantees by which this country was bound, and he said there was not an immense difference in them, and he said that he was of opinion that the Tripartite Treaty was the one of all others from which this country could not liberate itself without the assent of France and Austria. He contended that in bringing forward these Resolutions the right hon. Gentleman had taken a course which might embarrass the Government, while, on the other hand, the conduct of the Prime Minister had been made the object of continual attack by hon. Members opposite, for he had been accused of regarding the Bulgarian atrocities with cynical sneers and with having concealed evidence in his possession as to the feelings and disposition of the Emperor of Russia; and yet it had never been imputed to him that at any critical period in the history of the country he had come forward to embarrass the Government of the day with Resolutions such as those before the House. In his speech at Glasgow in November, 1873, Mr. Disraeli said—

"Whenever this country is externally involved in a difficulty, whatever I may think of its cause or origin, those with whom I act and myself have no other duty to fulfil but to support the existing Government in extricating the country from its difficulties and vindicating the honour and interests of Great Britain."

In his opinion the conduct of Lord Beaconsfield during these negotiations had been wise, patriotic, and dignified. He (Mr. J. R. Yorke) did not wish to impute to the Emperor of Russia throughout these negotiations any intention to deceive. He was, no doubt, honourable and true in his declarations; but few persons had less control over the destinies of the future than a despotic Ruler. On the other hand, the Prime Minister of a country like this was powerful because he had the people of the country at his back, and was supported by a great Party, whereas the Emperor of Russia was a despotic Ruler, and though he might desire peace he might by force of circumstances be driven into war. To rely upon his intention, therefore, was to rely upon a broken reed. He was sorry he had detained the House so long; but he hoped that when they went to a division the House would show that the Government still retained the confidence of the country, and that the majority would be an inducement to the Government to pursue in the future, as in the past, that course with regard to their foreign policy which would best

serve the interests of the country, and, at the same time, be worthy of public support.

SIR JOHN LUBBOCK said, that in the few remarks he was anxious to address to the House, he should not discuss the question before it in any Party spirit. Indeed, he was as anxious as the hon. Member for Christchurch (Sir H. Drummond Wolff) that the House should not pass any Resolution which would be likely to embarrass the Government. But he could see nothing in those now proposed which could have such an effect, and the speech of the right hon. Gentleman the Home Secretary seemed to him to be as strong an argument in their favour as any which had been delivered from the Liberal side of the House. Before, however, he proceeded to consider the course which this country, under existing circumstances, should pursue, he trusted he might be allowed to express the pain with which he listened on Tuesday evening to the accusations brought by the hon. and learned Member for Sheffield (Mr. Roebuck) against the right hon. Gentleman the Member for Greenwich, who had done so much for the benefit of his country. For his part, he begged to thank the right hon. Gentleman for the conciliatory course which he had adopted. He should hardly have thought it possible for any one sitting on that side of the House to forget the splendid services he had rendered to the country, and the numerous victories to which he had led the Liberal Party during his long and illustrious career. As regarded the Resolutions now before the House, it appeared to him that there were three principal questions before the country—should they join Russia and go to war against Turkey; should they join Turkey and go to war against Russia; or should they maintain a strict neutrality? As to the first point, whether they should join Russia and fight against Turkey, the second Resolution in its original form stated that, until the conduct of the Porte

> "had been essentially changed and guarantees on behalf of the subject populations had been given, the Porte had lost all claim to receive the material or moral support of the British Crown."

These words, however, clearly implied that Turkey would have, if not a legal, at any rate an indirect, claim on this country for material aid under certain conditions. If we were to pass this Resolution in that form, and if, then, Turkey punished the offenders and gave material guarantees for improved government, surely it would have been very difficult for us to refuse to assist her. How could we have said—"It is true you have fulfilled all our conditions, but still you must not expect any help from us?" This Resolution in its original form, in fact, took the decision of peace or war out of the hands of this House and our gracious Sovereign, and transferred it to the National Assembly of Turkey and the will of the Sultan. He was glad, however, that the right hon. Gentleman himself thought the Amendment proposed by the hon. Member for the Border Burghs (Mr. Trevelyan) to be an improvement. He (Sir John Lubbock) considered it to be most important from their point of view, and that, in its amended form, it represented the opinions of an immense majority of the people of this country. As it at present stood, it clearly expressed that the Porte, by its cruelty and misgovernment had forfeited all claim on us. Then they came to the second question, should we join Russia and coerce Turkey? The right hon. Gentleman the Member for Greenwich, in his fourth Resolution and in his speech, called upon us to "exact" certain reforms from Turkey. Exaction, however, implied force, and Her Majesty's Government had pledged themselves to Turkey to use no force. He regretted very much that Her Majesty's Government should have made any such announcement. After that had been done, there was certainly very little chance of bringing the negotiations to any satisfactory termination. But, whatever course it might have been advisable for us to take when Turkey rejected all our representations, if we had been free to act, it seemed to him that, under existing circumstances, when war had broken out, and after the solemn assurances given by Her Majesty's Government to Turkey that we would not use force, the House could not call on Her Majesty's Government to make war on Turkey. Even those who most regretted, as he did, that such assurances should have been given, must feel that we were bound by them. He had avoided entering into any criticisms of the past, nor would he

speculate on the future. There was much to be said for uniting Bulgaria to Roumania, for annexing Bosnia and Herzegovina to Austria, and for a large addition to the kingdom of Greece. These questions might arise hereafter, but they were not before them now. For the present, there remained the policy of a strict and watchful neutrality. He had listened with much pleasure to that part of the Home Secretary's speech in which he announced that Her Majesty's Government were unanimously in favour of that course, an announcement received with great and general satisfaction throughout the country. He thought it was desirable that nothing should be said in that House which could inflame the feelings of the people of this country against Russia. A strong feeling of irritation was, he feared, springing up, and those who said anything calculated to fan it, took upon themselves a very serious responsibility. They had heard much of English interests abroad, but were not English interests much stronger at home—upon the shores of the Thames and the Mersey, rather than at Batoum and other places in Turkey? They ought to remember that Russia co-operated in freeing Greece, Servia, and Roumania. He thought that at present it would be wiser, more generous, and more politic to suspend their judgment, than to condemn Russia, though Russia must know that this country viewed her conduct with distrust in consequence of what had occurred in the past. Still they ought not to forget that the Emperor Alexander had liberated the serfs, and therefore he hoped that the Czar would now show that in the present crisis he had been acting a loyal part: that his object was to benefit the unfortunate Christians of Turkey; that he had not been so base as to use their sufferings as a mere excuse for his own aggrandizement. If the Emperor Alexander fulfilled the pledges he had given, he would add a bright page to the history of his country, set a noble example to the world, and do more to promote the true interests and prosperity of Russia, than if he added many millions to his subjects and annexed even the fairest provinces of Asia to his already gigantic dominions.

MR. GRANTHAM said, he approved more of the plain-spoken principles of the hon. Member for Liskeard (Mr. Courtney) than of the vote-catching policy enunciated by the hon. Member for Reading (Mr. Shaw Lefevre), who supported the course taken by the right hon. Gentleman the Member for Greenwich, because it would add to the numbers at the Liberal side on the Division List. Probably that would be the case, for though the House knew, yet the people outside would not know that the division was taken upon one of the Resolutions, for the speeches delivered by hon. and right hon. Gentlemen opposite had been directed to the five Resolutions as they were placed on the Table of the House by the right hon. Gentleman, and the people outside the House would naturally assume that the division was really upon them. Hon. Gentlemen on that side of the House had been most unjustly taunted with being indifferent to the atrocities which had been committed in certain of the Turkish Provinces. For his part, he could say that he should not have risen to address the House, but for the taunts which had been cast at hon. Members on that side of the House, because of their apparently inconsistent opinions respecting the atrocity meetings of last Autumn. They agreed on that side with hon. Members opposite in rejoicing at the outburst of national indignation when these atrocities were heard of; but they were also all agreed on that side of the House in a feeling of national indignation against those who had used those atrocities for the purpose of endeavouring to rally the broken forces of the Liberal Party. The sufferings of the poor Christians had been more a cry for the purpose of catching votes for the poor Liberal Party of England. He (Mr. Grantham) had attended one of the Autumn meetings at which the right hon. Gentleman the Member for London University (Mr. Lowe) delivered that remarkable speech in which he declared that the policy of England must be changed, and that, while begging forgiveness of Russia for what was past, England should ask to be allowed to join her in the future. It was true that there was some talk about Turkish cruelty at that meeting; but there was much more about Tory coldness and want of sympathy, and that nothing would satisfy the people of England but the substitution of the right hon. Member for Greenwich and his Friends for

Lord Beaconsfield and the present Ministry. He felt justified in publicly denouncing there the false pretences under which he had been inveigled to that meeting. Never was there a time when the irresponsible intellect of the country had such a dangerous power as at present, never was there a time when one man by his pen or his voice could have such influence in the country for good or ill; and he therefore asked the people of England to take warning by the lesson of last Autumn, and not always to believe in the speeches and writings, however brilliant, that were made by those who were not responsible for the government of the country. He believed that the wise and prudent conduct of Her Majesty's Government had, at a most critical time, steered the country clear of an imminent danger, and he therefore heartily supported the Amendment of the hon. Gentleman the Member for Christchurch.

MR. WALTER said, he should follow the advice which he had ventured, somewhat presumptuously, to offer to the House at an earlier period of the evening, and condense his remarks into the space of a few minutes. His object was to offer a few observations, founded on what he might call the key-note of the evening's debate, which was sounded by his hon. Friend the Under Secretary of State for Foreign Affairs. He referred to that which had, in his opinion, been the mistaken policy of Her Majesty's Government during the earlier part of the negotiations which had resulted in the present war, a policy which he would describe as one of international coercion. His hon. Friend, following in the line of his right hon. Friend the Secretary of State for War, spoke strongly and emphatically against the right or expediency of using coercion under almost any conceivable circumstances, but especially under the circumstances to which their attention had been recently and painfully called. He proposed to submit to his hon. Friend who opened the evening's debate certain reasons which induced him (Mr. Walter) to think that the policy was mistaken, and those reasons were proved by one of the objects which the Government had in view —namely, the maintenance of peace. He held that no State could, by virtue of any Treaty or other obligation, divest itself of its natural right to interfere, if necessary, by force of arms, with any other State, if circumstances justified such interference. And he held that the circumstances which, in our case, could justify such interference were such as would interfere with the peace of Europe or would involve the maintenance or suppression of some gross system of tyranny or persecution. There was a remarkable instance of this international interference which occurred within the recollection of himself and of many Members of the House—he referred to the interference of England and France in the separation between Belgium and Holland. That was a case in which the English Government pursued a policy precisely opposite and different from that which she had seen fit to adopt on the present occasion, and which was advocated by his hon. Friend opposite (Mr. Bourke). In the year 1814 this country, in conjunction with Russia, Prussia, and Austria, solemnly created and guaranteed an union between Holland and Belgium. They did it by virtue of conquest, and for the purpose of maintaining a certain balance of power in Europe. That Treaty was further confirmed by the Congress of Vienna, and the state of things, so settled, subsisted for 15 years down to 1830, when France, England, Prussia, Russia, and Austria, as the result of Conferences held, determined upon the separation of Belgium and Holland. But that was not all. The separation was assented to by the King of Holland, but subsequent arrangements were necessary in order to carry the Treaty into effect. A Conference was therefore held in London, and various bases of separation, which were called "irrevocable bases," although they were repeatedly changed, were laid down for the purposes of the arrangement for carrying the separation into effect. The conditions were extremely hard upon Holland, whose King naturally objected to Belgium agreeing to them. Other bases still more severe, strict, and harsh were then laid on Holland, and when Holland declined to accept them, England and France, without the concurrence, and, indeed, against the wish of the other co-signatories to the Treaty united, used the force of arms, and by besieging Antwerp compelled the King of Holland to accept the terms. He did not complain of that act of interference, although he remem-

bered that, in this country, the excitement at the time exceeded anything that had occurred in connection with the present war. But if that act was justifiable, it was surely a far more high-handed act than that which Russia had performed on the present occasion, and incomparably more high-handed than that which Her Majesty's Government would have performed had they taken a more sound and correct view of their international obligations—he meant the step of enforcing upon Turkey the law and the will of Europe. The mistake which had run through all the negotiations and policy of the Government from the very beginning of these unhappy transactions had been their settled determination on no account whatever to entertain the idea of a concerted interference of Europe in order to carry out its will. England interfered in the case of Holland in order to preserve her and Belgium from civil war, and if it was justifiable to interfere for such a purpose, there was surely a better ground for interference in the cause of humanity and of a country misgoverned and Provinces so tyrannically ruled as had been the Turkish Provinces during many years. A great deal had, and more might be said about the non-acceptance of the Berlin Memorandum by the Government. Its acceptance would, undoubtedly, have given a good basis for the concerted action of Europe; but at the time when it was presented it was fair to urge there did not exist the same means for bringing pressure on the Turkish Government that there had since been, for the Bulgarian massacres had not yet occurred. Had they only occurred before the Memorandum, public opinion would have forced the Government to accept it. The Conference followed upon the non-acceptance, and he believed the failure of that Conference was predestined to be a failure. The mission of Lord Salisbury reminded him of the mission of two very eminent Ambassadors to another great tyrant in a much earlier period in the world's history than the present. Two Ambassadors were sent to Pharaoh, King of Egypt, with regard to the liberation of the chosen people from bondage; but the difference between their mission and that of Lord Salisbury was that Moses and Aaron were armed with the power of plagues, while the noble Marquess who represented England at Constantinople had no such power. In spite of this, however, it might turn out—and he should not be surprised at it—that the very policy adopted by the Government—a policy which had landed the Turkish Empire in war—might, though not at once, be the means of determining the existence of that Empire. Looking at the Resolutions, he entirely concurred with the opinion of his right hon. Friend the Home Secretary that at the present moment England had only one policy—namely, a policy of observation and neutrality. It must be borne in mind that in debating this question they were in the position of persons who, having only seen two acts of a drama, proceeded to construct theories as to its close. The second act of this drama was now proceeding, but how that act might develop itself they could form only a very imperfect opinion. With regard to the third act, which related to the negotiations that must inevitably follow the war, they were in total ignorance. How could they, therefore, attempt to pass a judgment satisfactorily to themselves, or to form now any judgment at all upon transactions of which they only knew a part? Years hence the historian of those events might have very great reason to say how blindly and impotently the whole subject had been treated. For his own part, he devoutly hoped that it might be simply the threshold of the Eastern Question—a question which had been the terror and bugbear of statesmen from the beginning of this century. What was that question? Surely, it did not mean a continuance and maintenance of the Turkish Empire, nor did it mean a substitution of Russian for Turkish rule. Neither of these was the problem which statesmen had in their minds when they talked of the Eastern Question. The real question was the true mode of dealing with the dismembered elements of what now constituted the Turkish Empire. In his view, speaking under clouds of uncertainty, the problem was one that must sooner or latter be solved, but it could not be solved by statesmen who said—"Don't mention it in my time; let it be reserved for those to deal with who will come after me." He should not be surprised if he lived to witness a solution of this question. He believed that, at all events, their descendants would

Mr. Walter

look back upon this whole period of Turkish domination in Europe as the most disgraceful and miserable period of this century. He had lived to see changes which 50 years ago the strongest statesman would have scouted as impossible. He remembered that when he first entered upon public life the problem was how to create an united and independent Italy; and he also remembered the look of surprise and compassion with which that eminent and sagacious man Mr. Charles Greville received a suggestion that such a consummation was possible. After a few years had elapsed, however, that dream became a reality. He had lived to see the settlement of another question, which one of the cleverest men in England had declared would remain to be settled a hundred years hence —namely, that of the abolition of the temporal power of the Pope. He had also lived to see the re-construction of the German Empire, which was regarded as being one of the greatest problems of the age. The fourth problem of our time, and one which still remained to be solved, was the Eastern Question, and it was one which statesmen must face. Whether it would be solved in our time He only knew who determined the fate of Kingdoms; but that it would be solved, and solved at no distant date, he had not the slightest doubt. He would not detain the House longer, but would merely quote the words which he had read the other day in Sir Gardiner Wilkinson's work to the effect that—

"The Turks came into Europe as a horde, they gained power as a horde, and they remained as a horde, and they are the only instance in the history of the world in which a nation has gained the zenith of its power and is hastening to its fall without ever becoming civilized."

He believed that the Turkish Government was incapable of civilization, and he was convinced that that was the opinion of the wisest and the deepest thinkers who had given their attention to the subject. He should give his vote in favour of this Resolution, not because he thought that it conveyed any censure upon the Government, but because it embodied the views he had just expressed, and which amounted to a distinct declaration of the present diplomatic attitude of the country towards the Eastern Question. That attitude was one of strict neutrality and observation; but with no intention whatever of supporting the Turks. He did not blame the Government for not having used coercion. If they thought that to use coercion would occasion greater evils than now existed; if they thought that it would bring into play dangerous complications between Germany and France, and would perhaps bring about the massacre of the Christians in the Turkish Provinces, they, acting under a sense of their responsibility, were quite right not to use it. Had they used it he should have praised them; but he did not blame them for not having used it. He was prepared to vote any money which the Chancellor of the Exchequer might ask for keeping the Russians out of Constantinople, but he would not vote one shilling to keep the Turks in it.

MR. HERMON thought it was scarcely sufficiently understood that the people of this country were not inclined to go to war, either on behalf of Russia or of Turkey. Connected as he was with trade, and with a part of England which was dependent entirely upon the commerce of the Kingdom, he could bear testimony to the fact that the warlike speeches, resolutions, and meetings of which so much had been heard had a tendency to upset that revival of industry of which they were sanguine enough to believe they had seen some evidence. On behalf of those whom he represented he was prepared to say that the constituency of Preston were not prepared to go to war in support of either Russia or Turkey. They were not prepared to go to war either in defence of a declining Empire, which was unworthy to exist in its present state, or in support of a Government which sought to enforce upon another country which was too weak to withstand the pressure principles which were abhorrent to Englishmen. For his own part, he admired the character of neither the Russian nor the Turk. When, however, the necessity for maintaining the honour of the country arose, or when a struggle for existence had to be made, the country would give its full support to a bold policy on the part of the Government. This debate had shown the feeling of the country on this question, and had proved that the nation was now convinced that the great Power which was now invading Turkey was doing so, not altogether for the sake of relieving the

oppressed Christian inhabitants of the Turkish Provinces, but for its own territorial aggrandizement and selfish purposes. He felt confident that the manly declaration of the Home Secretary the other night, that the Government were entirely wedded to a system of strict neutrality, would win the confidence of the country. We were not inclined to rush into war for Russia or Turkey. Neither of them, he thought, deserved our confidence or esteem. If the time should come when the Government felt it necessary for the protection of our interests, he believed they would receive a generous support from the other side. But he hoped that any step in that direction would be well-considered, as it might lead to trouble or disaster to this country. He thought the Government was entitled to the thanks of the country, and he trusted they would stick to their policy of neutrality.

MR. GOSCHEN said, he would not have risen if he did not believe that Her Majesty's Government fairly understood that, looking to the great interest which had been taken in this debate on both sides of the House, to the number of Speakers who still wished to address it on both sides, no division would be taken that evening. His noble Friend (the Marquess of Hartington) stated early in the evening that if there should be any chance of bringing this debate to a conclusion, he (Mr. Goschen) would willingly surrender any claim he might have to address the House, with the view that the debate might be brought to a conclusion. But those who had attended the debate through the course of the evening, and Her Majesty's Government itself, must recognize that it could not be concluded this evening, and, therefore, he proposed to make some observations if the House would permit. The debate had, on the whole, been satisfactory. He believed there were many hon. Members on his side of the House who believed that this four nights' debate had been most distinctly of advantage to the country. And he believed that opinion was shared even by hon. Members opposite, for it had been an advantage to the country, as was said by the hon. Gentleman the Under Secretary of State for Foreign Affairs, that in the course of this debate many illusions had been dissipated. He had said that the debate had been satisfactory to the Opposition. They had seen a distinct change of tone come over the Government. ["No!"] That was a matter of opinion, and he clearly thought a change had been expressed. He believed his right hon. Friend the Member for Greenwich would be satisfied that in doing what he thought his imperative duty in bringing this matter before the House, he had assisted to a great extent in dispelling the fears which might have been entertained of our going to war. Those fears had existed. They might have been unjust. If they were unjust, it was well that they should have been dispersed—that the atmosphere should have been cleared, and that we should know better where we were. He thought we did know better where we were. As he had said, he believed the course of this debate had been satisfactory in most quarters, but there was one quarter where this debate he believed would not be satisfactory, and that was at Constantinople. More warnings had been addressed to Turkey, not only from his side of the House, but from the other, than were contained even in those voluminous Blue Books which they had all been studying. He believed that by the effect of this debate the voice of the country would be understood, both at Constantinople and in Europe. He must allude, as so many other hon. Members had alluded, with satisfaction to the manly, straightforward, and precise speech of the Secretary of State for the Home Department. By what an interval they seemed to have been removed from the time when the Secretary for War addressed the House in a bellicose speech, and, without defining British interests, poured out a torrent of words with regard to vague interests which none of them could measure or appreciate! The Home Secretary had taken a different line; he had defined British interests, and he (Mr. Goschen) trusted that before this debate closed, as hon. Members on his side recognized that hon. Members opposite were not pro-Turkish in the sense they were sometimes stated to be, so hon. Members on the Ministerial side would recognize that hon. Members on his side were not pro-Russian in the sense in which they were said to be. He hoped there would be reciprocity on both sides. He trusted it was not necessary in a debate of this kind for hon. Mem-

bers on his side of the House to indulge in the splendid "Rule Britannia" perorations which they had heard from some hon. Members. Some of those perorations had been magnificent and sublime. The noble Lord the Vice President of the Council (Viscount Sandon) wound up with a glowing description of the rugged peaks and the distant seas over which the flag of England waved; and he assured them that never would those rugged peaks and distant seas be ravaged by the sword. Then the right hon. Baronet the Member for Tamworth (Sir Robert Peel) had trotted out the British Lion, and not only trotted him out, but had jumped upon his back and galloped him up and down the floor of that House amid the enthusiastic plaudits of his Friends. For himself, he (Mr. Goschen) had thought that noble beast was too noble an animal to be used for such circus riding. He turned with pleasure from such perorations as those to the steady and prudent peroration of the Home Secretary. That right hon. Gentleman had defined British interests and told them what they were; and in most of his definitions hon. Gentlemen on both sides of the House had been able to agree. The Home Secretary had spoken of Egypt and of the Suez Canal, and no one, he believed, in that House would deny that that was a British interest. He had spoken also of the Bosphorus and the Dardanelles, and no person on either side would deny that England had an interest in the Dardanelles and the Bosphorus. They therefore found common ground on those British interests, and it would be idle to say that hon. Gentlemen on his side of the House were one whit less keen or less zealous in their regard for those interests than hon. Members opposite. But he would not pin the right hon. Gentleman — it would not be fair — to any statement or idea that in enumerating those British interests he had made an exhaustive catalogue. No English Minister could do that. And, therefore, he freely admitted that there might be other British interests which this country might be bound to watch over which were not included in the right hon. Gentleman's catalogue. But he remarked that there was one British interest—he was wrong—there was something which once used to be considered a British interest, which had not been enumerated by the right hon. Gentleman. He had noticed its absence, the House would notice it, and he was sure Europe would notice it. In mentioning what were British interests the right hon. Gentleman had not chronicled amongst the number the maintenance of the independence and integrity of the Ottoman Empire. He wished to emphasize that fact. The right hon. Gentleman had rightly, as he considered, omitted that from his catalogue of British interests, and, if he had not omitted it, and if its omission were not the view of the Party opposite, there would have been a clear issue between those sitting on that (the Opposition) side, and hon. Members opposite. Because he believed he should not be disavowed by a single hon. Member near him when he said that the maintenance of the integrity and independence of the Ottoman Empire was no longer an article of their creed. He ventured to say it was well that the Turk should know that that was the view of the House of Commons and also of the Government. He believed that the Turk had taken a different view; that the Turk throughout those proceedings had said—possibly he was saying it to himself at that moment, but he would not say it at the conclusion of the debate—"I, the Turk, am a British interest." It was his profound conviction that this idea in the Turk's mind that he was a British interest had been at the bottom of half the misfortunes and disasters which had occurred in those negotiations. Even although in the present Resolutions the House was asked to declare that Turkey should have no claim to the moral or the material support of England—"Never mind," said the Turk, "I am a British interest. I may—in fact, I know, I have no claim for support, but I belong to the category of British interests. I am asked to punish the authors of the massacres. Why should I do so? I can refuse; I am a British interest. Am I not the door-keeper of the Bosphorus and the Dardanelles? Why should I mind the remonstrances of England? I know they do not love me for my own sake, but they must have me; I am necessary for them, and I shall be defended." Now I ask the House, in all common sense, if this was the opinion of the Turk, was it not natural, even when we reduced the irre-

[*Fourth Night.*]

ducible and minimized the minimum, that he should say to himself—"I am safe; I can refuse everything, because I am a British interest. Every officer of the Navy or Army of England believes me to be so. Public opinion in England for me is strong; and on that I take my stand." Well, he believed that the main upshot of that debate would be to explode that theory and view in the eyes of the Turk. Whether there was a majority for the Resolution of his right hon. Friend or not was comparatively immaterial, and was not the real point at issue; but the real point was, that the Turk should know what was the judgment pronounced on him by that House, and that was a result well worth a four nights' debate. That judgment was that we did not regard the maintenance of the integrity and independence of the Turkish Empire as a British interest, and that we would not give Turkey moral or material support. He entreated the House to give him its attention on that point. For years past—since 1854 and in 1854—Turkey believed, and had a right to believe, that we fought for her independence and to maintain her integrity and her power. The idea that that power was necessary for British interests had been so rooted in the mind of this country and similarly in the mind of France, that the Crimean War occurred; and he wished hon. Members on both sides of the House now to consider the position and to appreciate the motives of his right hon. Friend the Member for Greenwich. What had been the position that his right hon. Friend had placed before the House? He had said—"I, among others, have a certain responsibility in connection with the Crimean War; the people of England have a certain responsibility in connection with the Crimean War, and having caused the Christian populations to remain under Turkish sway, we have a certain responsibility with regard to them." The question had been asked over and over again in these debates—"Why should England, animated by a merely humanitarian spirit, make this crusade?" His right hon. Friend the Member for Greenwich had given the answer. It was, because we had maintained that Power by our arms, our treasures, and our Treaties, under whose sway the Christian populations were now placed, and were now suffering. And that argument had not been dealt with by a single hon. Member who had addressed the House. He had closely watched the debate, and he said boldly that that argument as to the special responsibilities of England towards the Christian Provinces of Turkey had not been met. Had we not that responsibility? [An hon. MEMBER: That is a very old point.] Yes; that was a very old point. It dated from the Crimean War. But though our duty in that matter was old, we had not yet discharged it; and it was because the country felt its responsibility that it was so excited. It was a sense of that responsibility resting upon us as a nation which had induced his right hon. Friend to say that as long as he had a pen that would stir the masses of England, a voice that could be heard in Parliament, and a name that would command attention, he would labour to have justice done. He (Mr. Goschen) wished to remove the impression that we were going upon an imaginary crusade. There was the Secretary of State for War, who wanted a commission from on High before he would take in hand to deal with the insurgent Provinces. There was no need for any commission from on High when there was an historical responsibility which had been incurred by the country; and he trusted that, since war had broken out, the special duties of England to the Christian Provinces of Turkey which were still under her sway would not be forgotten in the din of arms. It might fairly be said that Turkey had been deposed from the position of a protected and favourite ally of this country to that of a deserted offender. Could it, then, be maintained that the Autumn agitation had borne no fruit? He would be frank in regard to that agitation. There was a time when he had some misgiving as to the agitation. He did not know whether it would bear fruit, or whether it would remain barren; and he did not like to think that the agitation should exist in the face of Europe without bearing fruit. But it had borne fruit, and the fruit it had borne was this—we had changed our traditional policy. We had sacrificed what used to be an article of our political faith, and we had done that because Turkey had refused the advice and remonstrances of England, and had continued in a course which the English

Government itself had advised it would lead to peril and to ultimate disaster. Lord Derby wrote in September that if Turkey did not meet the demands of England, Her Majesty's Government would find it practically impossible to interfere in defence of the Ottoman Empire. Those were very curious, very extraordinary, and very significant words. Anyone reading that despatch would say—"But for the atrocities, Her Majesty's Government would have undertaken the defence of the Ottoman Empire." That would, no doubt, have been our traditional policy. Lord Derby had written that in the event of a war between Russia and Turkey, the sympathies of the English nation would be found to be in opposition to its Treaty engagements. The event had actually occurred, but he thought it would now be admitted that Lord Derby had been wrong in his reading of our Treaty engagements—that in fact, there existed no Treaty engagements binding us to defend the Ottoman Empire. It was evident that at the time those words were written it was in the mind of Her Majesty's Government that in the extreme case of war with Russia they might, but for the discovery of these atrocities, have found it necessary to interfere on behalf of the Ottoman Empire. Well, they had not so interfered, and in place of any interference, we had a satisfactory declaration of the absolute neutrality of Her Majesty's Government. He had rejoiced to hear speaker after speaker on the opposite side of the House expressing satisfaction at that declaration, and he entreated hon. Members opposite to observe the neutrality not only in that House, but out of it. He hoped that wherever they had influence, in their constituencies, in the Press, or elsewhere, they would enforce and maintain that idea of absolute neutrality. It was one of the outcomes of that debate. They had been told time after time that the natural and logical result of the Autumn agitation would be coercion in concert with Russia. That he denied. There had been a result already achieved, and that had been the change in the position of Turkey in the heart and mind of this country. It was not fair to say that war would be the only natural result. The noble Lord the Member for Haddingtonshire (Lord Elcho) said that the Opposition did not wish to coerce Turkey, and that if they did not wish to do so themselves they must also disapprove of Russia doing so. In using that argument the noble Lord seemed to forget, like so many others, that there was a certain work to be done in the East, which all the Powers of Europe together had been anxious to see done—namely, that the Christian Provinces of Turkey should be relieved from Ottoman misrule; and that it did not follow that because we did not wish to coerce Turkey ourselves, therefore we ought to discountenance any other Power which undertook the work. It was clear that Her Majesty's Government had really expected all along that Russia would go to war with Turkey. That had been the one distinct point from beginning to end, and yet they now wrote a despatch to Russia as if they were perfectly surprised at the course she had taken, and had never thought such an event possible. If he was not mistaken, Lord Salisbury himself had alluded to the gathering of the Russian Forces on the Pruth as one of the facts which would assist in bringing the Conference to a successful close. He would not go further into the matter at that late hour, but would just remark, as had been pointed out by several speakers, that there was a question of coercion by this country alone, in addition to a question of coercion in concert with Russia—there was the question of a European concert, and lastly, the course of absolute neutrality. The hon. Member for Liskeard (Mr. Courtney) had argued forcibly in favour of coercion in concert with Russia. This was a course which might have been adopted at some previous time, but it was now too late. He could not admit the arguments which had been urged by the Vice President of the Council respecting the future, in which it was said that coercion in concert with Russia would have been difficult, because our aims and our interests would have been different. True, it might have been difficult, but would it not be equally difficult to arrange with a victorious Russia at the close of the war? In one way or another, it would be necessary for us, when that time came, to seek to settle the question in concert with Russia. It had also been asked how it would have been possible to bring the European Powers to act together with a view to coercion. Would not

Europe have to take that concerted action at the end of the war that she had refused to take at the beginning? We might say we would observe absolute neutrality; but we could not wash our hands of the matter, and it would be absolutely necessary that England should deal with it more or less in the future. The arguments adduced against the concerted action of Europe had not been strong, unless the hon. Gentleman the Under Secretary of State for Foreign Affairs was right in saying that the States of Europe would have refused to join us. The hon. Gentleman referred to and made quotations from Green Books and Yellow Books, but it was impossible to form an independent judgment without seeing the despatches. All these had not been seen, nor was it known what passed between Lord Salisbury and Prince Bismarck, and between Lord Salisbury and the French Ministers; and one of his difficulties in voting for the third and fourth Resolutions would have been that sufficient was not known of the conflicts of European interests to enable one to judge whether such concerted action as they contemplated would have been possible or practicable. We might desire it, but it might be impossible to procure it. If he had spoken of "silent and cynical Germany," as the hon. Member for Tamworth said yesterday, he did not speak of the German people, which were neither silent nor cynical; but he applied the word cynical to the German Government, and the remark was neither libellous nor unfair, for the German Government had shown considerable cynicism during the last four or five years. He should like to know what Her Majesty's Government thought in their hearts, though he hoped they would be discreet enough not to say it, with regard to the part played by Germany during these transactions. The direction in which the force of Germany might be employed in this Eastern Question was an unknown fact, and it was a grave matter, which caused considerable alarm and anxiety to all European statesmen. To Her Majesty's Government must be left the responsibility of securing concerted action, as they alone could know whether it was possible; but they could be kept up to the mark by being reminded that without concerted action it would be impossible to solve the question. At present it was not likely that the country would know more than they did now. For the greater portion of the last month it had been the duty of both sides of the House to severely criticize and to discuss the action of the Great Powers with whom they were in alliance. Great freedom of speech had been employed with regard to the action of Russia, and the Under Secretary of State for Foreign Affairs, referring to Lord Derby's last despatch, had asked, whether Her Majesty's Government were to be so abject as not to address their opinions to Russia about her conduct? but he (Mr. Goschen) was not aware it was necessarily abject to refrain from writing such a provocative response. We were entitled to pronounce a strong opinion on this point; but not when Russia had done that which she had led us to expect and given notice that she would do during the last eight months. More especially was it the case since she had complained that it was not the Russian, but the English Declaration which destroyed the effect of the Protocol. The English Government placed Russia in a position in which she had an advantage she ought never to have had, and it was open to Russia to say that, after all her declarations, no course was open to her but to declare war. They had criticized the action of Turkey. They had spoken their views of Russia, and surely they might state that Russia had no other course to pursue after her many declarations than to go to war, without its being fair on that account to bring the charge against the Opposition of being pro-Russian in their tendencies. Was it because they had fairly stated their opinion of the Government? Was it wise, or patriotic, or just, of hon. Members opposite to declare that a great Party in this country was pro-Russian? They were in a minority, he knew; but still they were a great Party, and had great influence in the country; and was it right to declare before Russia and Europe that the influence of that Party was to be used in a pro-Russian direction? It might be useful as a party manœuvre to create the sense of some anti-national disposition on their part—it might help them at an election or to get up a cry; but was it likely to be of use in the councils of Europe? At all events, the

Liberal Party in that House would be prevented from taking the part which they thought their duty as Englishmen demanded by any such charge as that. He ventured to think that the Government, at all events, would agree with him in this — that the atmosphere should be cleared, and that they ought not to be stigmatized as anti-English in their views because they thought that Russia had a perfect right to do what she had done. There was another point on which he wished to say a few words. There might be Russian victories—they could not tell—and he wanted to know what would be the bearing of hon. Gentlemen opposite and of the Government under these circumstances? Would they stand—he hoped and trusted that so long as those interests, which were truly English, as referred to by the right hon. Gentleman the Home Secretary, were untouched, they would stand steady, and not allow the country to become jealous or excited because there were Russian successes. This was a matter of extreme importance. He ventured, in conclusion, to appeal to the Government that they would, even when this debate was closed, remain staunch to the letter, and not only to the letter, but to the tone of the speech of the Home Secretary; that they would use all their influence in and out of Parliament to maintain that tone. He hoped they would not forget that there was still work to be done in the East in favour of the oppressed populations of the Turkish Provinces — work which might be easily forgotten or overlooked if there were Russian victories and Russian successes. He trusted this country was great enough and strong enough not to feel jealous of any Russian victories, which might be in favour of the Christian populations in Turkey. Let them remember the story of the Suez Canal. They were jealous of that great work; but they ended by buying it, and now they looked upon the Suez Canal as one of the greatest of English interests. Let them remember the work to be done which they themselves had recommended during many months of weary labour. That redress which they could not wring or wrest from the Porte might come, and he trusted they would not be jealous if it did come, by Russian arms. He was not saying anything anti-English in giving utterance to that sentiment. He hoped that redress would be given which they had asked for in the name of the Queen, but which they had not got. They wished redress to come, because they thought it the duty of England to ask for redress and for the punishment of the oppressors. The Government itself had given eloquent expression to the demand. Then he thought it was not anti-English to say that if that redress should come—from whatever quarter—he trusted the Government would not run national jealousy against national duty. He said shame on the men who attempted to raise the fierce fires of national jealousy, which so often blood alone could quench, on such an occasion. The right hon. Gentleman the Secretary for the Home Department had done much to clear the air. He trusted that in the months to come no fresh cloud might gather to sweep across the clearer sky.

DR. KENEALY said, that he was unable to regard this great Eastern Question from a Bulgarian point of view, neither could he consider it from a Muscovite standplace; he looked at it only as it affected England, her interests, and human liberty. He therefore would, with the leave of the House, direct particular attention to the Resolutions which the right hon. Gentleman the Member for Greenwich had placed before them. The first Resolution was a Vote of Censure upon the Turkish Government. He would feel obliged to the right hon. Gentleman, when on Monday he should come to review the debate, if he would give one single instance in the whole Parliamentary history of England where the House of Commons had passed a Vote of Censure upon any foreign Government for its internal policy. The next fault he found with the right hon. Gentleman was that he spoke of guarantees, but did not give the House the least information as to what he meant by guarantees. When the right hon. Gentleman called upon the House to say that it was essential that guarantees should be given, he was bound to state what, in his mind, constituted such guarantees as Turkey ought to give. The House had heard something about a joint occupation of certain Turkish Provinces by Russia and Austria, and about sending fleets of all the Powers to the Bosphorous. But surely the right

hon. Gentleman never would consent to such a joint occupation by Russia and Austria, because that would mean permanent possession; and the united fleet could only be regarded as a blockade of Constantinople. There was another portion of the second Resolution which seemed to cut the ground from under the feet of the right hon. Gentleman and his supporters, for it said that if the Ottoman Porte did not do certain things, it would be considered by that House to have lost all claim to receive either the material or moral support of the British Crown. That implied that if the Ottoman Porte should do certain things, it would be entitled to receive our material or moral support. But he understood the right hon. Gentleman and those who had engaged in the autumnal campaign to have based their action on this—that Turkey had already forfeited all right to the material or moral support of England. How would the right hon. Gentleman reconcile these opposite views? Upon the third and fourth Resolutions he did not like to say anything, because he did not know whether they were before the House or not. The right hon. Gentleman had advocated local liberty and practical self-government in the disturbed Provinces of Turkey; but it was not clear what he meant. As for "local liberty," every person in Bulgaria had at this moment as much local liberty as was enjoyed anywhere. He objected to support a Resolution which the right hon. Gentleman had not fully explained to the House. Again, what was "practical self-government?" Did that mean autonomy? [MR. GLADSTONE: That was Lord Salisbury's phrase.] He did not care whose phrase it was if he could not understand it, and he had little respect for Lord Salisbury's Mission, which had been disastrous to the interests and character of England. Lord Salisbury appeared to know no more of the Oriental Question than the most ignorant man in the country, and ought never to have been sent to represent us in the Conference. It seemed, however, that he had used those words, and he supposed that practical self-government was what the Irish people looked for—namely, the right of passing their own laws. He hoped, then, that they—the Irish Party at all events—would not believe in the sincerity of that Party which demanded this self-government for Bulgaria and refused it to Ireland. When the Irish people asked for their undoubted right, then the right hon. Gentleman said that it involved the dismemberment of the Empire; but when the Bulgarians asked for the same thing, he did not say that it meant the dismemberment of the Turkish Empire. He and his followers had no right to pass a Resolution for that object when they refused to pass a Resolution for the dismemberment of the British Empire. He proposed next to criticize in a friendly spirit parts of the right hon. Gentleman's speech, and some sentiments of those who were prepared to back him. The hon. Member for Glamorganshire (Mr. Hussey Vivian) had declared that he supported the right hon. Gentleman because "he had never done anything to tarnish the fame of England." In his (Dr. Kenealy's) judgment that reason was not well founded, for he had always considered that the right hon. Gentleman had done so, both in the *Alabama* surrender and in the tearing-up of the Black Sea Treaty, which we had gained by spending oceans of blood and gold. The right hon. Gentleman the Member for Montrose (Mr. Baxter) supported the Resolution on the ground that this country "was not afraid of Russia." He remembered when the late Mr. Cobden made a similar declaration, stating that we could easily crush Russia. He used an illustration with a piece of paper in his hand, and declared that we could crumple her up as easily as he did that piece of paper. The comparison was unfortunate, for it afterwards turned out that she was a most formidable opponent, and but for the assistance we received from the late Emperor of the French we should probably have been defeated by her. He was not afraid of Russia; but he did not think it wise to despise her. A great deal had been said about the atrocities; but the noble Lord the Member for Haddingtonshire (Lord Elcho) had proved that the number of persons destroyed by the Bashi Bazouks did not exceed 4,000 or 5,000. Why should we reproach Turkey with causing such a loss of life in repressing a most wicked rebellion? We considered ourselves to be at the head of civilization and Christianity, and yet the number of persons we had massacred in putting down various rebellions would amount

to millions. Yes, how many had we destroyed in successive Irish rebellions? The sum total was beyond counting. During the late Irish Famine we were confessedly responsible for the sacrifice of more than 1,000,000 of lives by our cruel and ignorant, and often perverse, legislation. He saw the hon. and learned Member for Limerick (Mr. Butt), the Leader of the Home Rule Party, present, and he, if he liked, could testify to the truth of what he had stated. As to Turkish misgovernment, he could only say that there was no more tolerant Power in the world than the Ottoman, and the truth was that the real persecutors of the Christians were Christians themselves. Those were the persons in whom the *odium theologicum* really existed. The English Legislature it was that in the last century passed a law setting the same price on the production of the head of a Roman Catholic priest as on that of a wolf. These Resolutions were not politics, but faction, and the whole outcry raised against these Turks was faction of the lowest and basest description; nor were the Penal Laws repealed until 1793. The Turk, as a general rule, was a mild and more Christian governor than many Christian governors generally were, and if he suppressed insurrections with severity, he only followed the example of other rulers. The right hon. Gentleman (Mr. Gladstone) had for 30 years been engaged in connection with Coercion Acts, and he was surrounded by seditious men, who said that the hangman and the gaoler were the pillars of English power in Ireland. These were the associates and friends of the right hon. Gentleman; but there was not one of the men to whom he had referred who would get up and say that the hangman and the gaoler were the pillars of Turkish power in the Principalities. The seditious character to whom he alluded could not, however, do much harm—noted as he was for being a liar. Russia was a great aggressive Power, and if she ever became the mistress of Constantinople, she would become the mistress of Europe. He asked the House not to be led astray by the newspapers, which were usually written by persons who knew nothing—persons who lived from hand to mouth in garrets, coffee-houses, and public-houses, and pretended to be the great "we" of the Press. Let them not be led astray by those ignorant people. They should study the subject for themselves, and they would see that English statesmen for the last century, from Pitt to Palmerston, held the opinion that if Russia became the mistress of Constantinople she would become dominant in Europe. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) determined to go to Turkey, so he packed up his "bag and baggage," and went to see for himself. The right hon. Gentleman was as active as a second Peter the Hermit. He passed over the Continent of Europe like some fiery comet, shaking portents from his hair. But what did he discover? He supposed nothing; for the right hon. Gentleman had been silent up to the present debate; and he had heard little from him of the dreadful massacres which had frightened all the old women, or of the subjugation of the Christian races, of which so much had been heard. The noble Lord, too, the nominal Leader of the Opposition—he wished he was the real Leader, because then they would see the Opposition conducted with sense and statesmanship, not by oratorical phrases and sophistical arguments — the noble Lord fled to Turkey also. They had all read of Howard, the pilgrim of philanthropy in the last century—the noble Lord might be regarded at one period as the Apostle of Atrocity. He went to Constantinople and, no doubt, impressed upon the Sultan the vast advantage of union and harmony in his dominions, the necessity for subordination and respect for authority, and the great evils of divided allegiance; but he returned to England a perfect Turk. He had most wisely seceded from the wild and frenzied movement of last Autumn, and had declined to advocate the coercion of Turkey, because he was not a Russian, but an Englishman who had the interests of his country at heart. The Secretary of State for War had been sneered at by the Opposition for claiming also, and truly, to be a Minister who had his country's interest at heart, while the Party who so sneered praised Lord Salisbury to the skies, because he had made himself the cat's-paw of General Ignatieff. Their hypocritical praises reminded him of the old line—*Timeo Danaos et dona ferentes.* Sir Henry Elliot had this inestimable advantage over Lord Salisbury—that he knew all about Turkey, and that Lord Salisbury

knew nothing about it. Her Majesty's Government, however, with a weakness for which he blamed them, frightened by the turbulent meetings of the Autumn, had practically censured Sir Henry Elliot by recalling him who was the truest, most honest, and also the bravest Representative that England ever had in Turkey. But it seemed that Mr. Baring had sent in a Report. He was informed by persons who were in a position to judge, and who were quite as accurate as Mr. Baring, that there was an amount of exaggeration in that gentleman's Report that had scarcely ever been equalled. But when that Report was published, every conventicle in the country was aroused. The Rev. Simpson, the Rev. Jobson, and the Rev. Dobson, who knew nothing about the Eastern Question—very good and pious and sincere men in their own sphere, but not to be followed on a great matter of politics like this—got up their little meetings, and they howled and they hooted, and they made the greatest noise ever known, and he was sorry to say that the Government was frightened by their tumult. Several Members of the Government made speeches, and when he heard of that he said—"Oh, that mine enemy would make an after-dinner speech!" and they did so and they committed themselves. The Government ought to have relied upon the common sense of their countrymen, and should have seen that the whole of this autumnal disturbance was founded upon fraud and folly. He knew the people of England as well as any man, and he knew that they were prepared to back Her Majesty's Government in keeping the Russians out of Constantinople. He did not believe in the infamous charge brought against the right hon. Gentleman the Member for Greenwich by a small official of the Government, that he was actuated by "vindictive malignity." The course he had pursued had been too considerable to allow them to suppose he was actuated by such a base spirit as that. He believed the right hon. Gentleman was simply led on by the inconsistency of his nature, that he could vary, flit about, and adopt ten thousand different colours, and still imagine he was the same consistent statesman. The right hon. Member for Greenwich had been everything by turns, and nothing long. He reminded him of a well-known political waverer and wanderer of a past age, of whom it had been written—

> "A man so various, that he seems to be,
> Not one, but all mankind's inconstancy."

The autumnal meetings would have been beneath our notice but for the tremendous results they produced. They fomented insurrection, they encouraged Russia, and misled her, as she had been misled in 1854 by a deputation of English Quakers from this country, who told the Czar Nicholas that England was resolved on peace. This advice led him headlong into the struggle which ended in defeat and in his own death. He feared the Quakers of our own time were giving equally rash counsel; and it was a curious thing that if ever we were carried into a bloody war, the friendly, peace-loving Quakers should be at the bottom of it. The Turks were no liars in their public documents; he could not bestow the same encomium on the Russians. If one of the public documents of the Turks was true, Russia was one of the greatest criminals that ever rushed into a wicked war. That document stated that the Christian populations in Bosnia, Herzegovina, and Bulgaria rose in insurrection solely at the instigation of Panslavic Committees paid by Russia. After that solemn declaration of the Turkish Government, which all knew and confessed, was it not farcical, was it not insulting, for the House of Commons to be told that the inhabitants of those Provinces rose in insurrection because they were suffering untold oppression? when, in fact, they were goaded by the priests and the agents of Russia—an aggressive and wicked Power—to rebel against their just Sovereign. Lord Beaconsfield had been denounced for his Guildhall speech, because in it he had warned the Czar, about the time when he was mobilizing his forces, that England would fight through two, three, nay, a dozen campaigns, sooner than allow her Eastern possessions to be wrested from her. He honoured Lord Beaconsfield for that patriotic speech; it was absolutely necessary, as an English statesman and as a Chief of the Government, for him to make it at the time he did; for the Autumn meetings had persuaded Russia that England meant "peace at any price," and that she would submissively assent even to the conquest of Constantinople. And now from his place in the

Dr. Kenealy

House he himself warned Russia, speaking the voice of millions—[*Laughter*]—speaking the voice of millions, he repeated, with the single exception of the hon. Member behind him—[*Renewed laughter*]—that if she attempted to take Egypt, Constantinople, or the Euphrates Valley, England would resist her to the last drop of her blood. The Emperor of Russia delivered his Moscow speech to what was described as a very enthusiastic audience. He (Dr. Kenealy) did not know whether that enthusiasm was purchased; but he knew that enthusiasts could be obtained in this country at half-a-crown a-head for any "Liberal" meeting in Guildhall. And what did the Czar say at Moscow on the 10th of November? He declared that he "would act independently," and he immediately mobilized his troops in immense masses. Let him act independently. We also here in England shall act, if need be, in the like manner, and we shall see whither his independence will conduct him. As for the Berlin Memorandum, it meant war, and its rejection would be the brightest jewel in Lord Derby's crown of glory. The right hon. Member for Greenwich had proposed coercion for Turkey, and by an extraordinary Nemesis of Providence, his Party had imposed coercion on him. It was to be hoped that his Party would take other opportunities of coercing him, for there was no man in this country who needed more than the right hon. Gentleman the strait waistcoat of moral restraint. In conclusion, he warned the Government that rapidity of action in war meant success, and that Russia was taking great strides towards the object of her ambition. Already she was marching onward with immense energy. The noble Lord the Member for Haddingtonshire had told them that a friend of his had calculated that she might reach Constantinople by the 1st of August. He believed that she would attain it before that time; and he implored the Government to lose not an hour in sending the Fleet into the Sea of Marmora. In the name of our commerce, which Russia stopped by prohibitory duties, wherever her sceptre waved; in the name of religion, which Russia threatened while she pretended to be its protectress; in the name of humanity, outraged by that Power in all lands where she swayed; in the name of liberty, which this cruel despotism trampled down in her dominions—he implored the Government to be prompt. He saw this mighty Power advancing surely but rapidly—a very ocean of blood, in which they might all be overwhelmed; and he called upon the Ministers of England to lose no time in saying to her in tones of thunder—"Thus far shalt thou go—but no farther."

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Waddy.*)

MR. GREENE objected to the adjournment of the debate, which he said had been moved merely for the purpose of pleasing a few hon. Members on the opposite side of the House when they had decided upon war, whilst hon. Members on his own side of the House had decided in favour of peace. The subject had been thoroughly thrashed out, and the House was quite prepared to go to a division.

MR. OWEN LEWIS said, that he had endeavoured to speak on the last two nights, but was unable to do so; and, as an Irish Catholic, he thought he ought to get an opportunity of taking part in the discussion.

MR. WHALLEY thought an opportunity should be afforded for replying to the unmannerly and unjust charges which had been brought against Russia. They had had that night an exhibition of utter recklessness on the part of the hon. Member for Stoke (Dr. Kenealy) in the name of the people of England. The hon. Member had made an unfounded and scandalous statement against Russia, whose just claims to their notice had been lost sight of.

MR. MACDONALD rose to Order, and asked whether the hon. Member was speaking on the Question of the Adjournment of the Debate?

THE CHANCELLOR OF THE EXCHEQUER thought the House would be glad to come to a decision as to the Adjournment as the hour was getting late. It was obvious that a great many more hon. Members were anxious to take part in the debate, but he must appeal to hon. Members to come to a decision on Monday night. The Government had given up two Government nights, and he supposed Monday must be given up too, and he thought it only reasonable to ask that the debate should end

on that night. It was intended that the holidays for Whitsuntide should be from Thursday next to the Thursday following, no unreasonable time to take, considering the shortness of the Recess at Easter and the severe debates which the House had lately had; but he feared it would not be possible to propose that the holidays should be so long unless the Government should get a day next week instead of Monday. He would then give Notice that on Tuesday he would move that Government Orders of the Day should have precedence, and if that course were not acceptable to the House, he feared that it would be necessary to curtail the Whitsuntide holidays.

SIR GEORGE BOWYER, as one of those who wished to speak on the question, said it would be impossible for him and others to do so unless hon. Members made shorter speeches, and that being so, he hoped no hon. Gentleman would on Monday night be allowed to speak over half-an-hour, or to send for water.

SIR WILLIAM FRASER said, he had heard some dark rumour that it was the intention of the Opposition to carry the debate over Whitsuntide, and he trusted that the Chancellor of the Exchequer would not move the Adjournment for the holidays until this debate was carried to a conclusion and a division had taken place.

THE MARQUESS OF HARTINGTON trusted, from the short discussion that had taken place, that this long debate might be closed on Monday. The suggestion about Tuesday appeared to be a reasonable one under the circumstances; and he trusted that those hon. Members who had Notices of Motion on the Paper for Tuesday would give the suggestion their consideration.

MR. R. POWER said, he had prepared a very beautiful speech, and if he could not deliver it to the House, he intended to issue it in the form of a pamphlet.

Question put, and *agreed to*.

Debate further *adjourned* till *Monday* next.

GENERAL POLICE AND IMPROVEMENT (SCOTLAND) ACT (1862) AMENDMENT BILL.

On Motion of Sir WINDHAM ANSTRUTHER, Bill to amend "The General Police and Improvement (Scotland) Act, 1862," *ordered* to be brought in by Sir WINDHAM ANSTRUTHER, Sir WILLIAM CUNINGHAME, and Mr. RAMSAY.

Bill *presented*, and read the first time [Bill 164.]

TRAMWAYS (MECHANICAL POWER) BILL.

On Motion of Sir CHARLES ADDERLEY, Bill to authorise the experimental use of Mechanical Power on Tramways, *ordered* to be brought in by Sir CHARLES ADDERLEY and Mr. EDWARD STANHOPE.

Bill *presented*, and read the first time. [Bill 165.]

House adjourned at Two o'clock till Monday next.

HOUSE OF LORDS,

Monday, 14*th May*, 1877.

MINUTES.]—PUBLIC BILLS—*First Reading*—Metropolis Improvement Provisional Orders Confirmation * (72), and *referred* to the Examiners.

Second Reading—Game Laws (Scotland) Amendment (44); Gas and Water Orders Confirmation (Abingdon, &c.) * (66).

Report—Removal of Wrecks * (59).

Third Reading—Public Record Office * (70); Local Government Provisional Orders (Horbury, &c.) * (55), and *passed*.

BURIAL LAWS CONSOLIDATION BILL.

WITHDRAWAL OF AMENDMENT.

THE EARL OF SHAFTESBURY: My Lords, I wish to inform your Lordships that it is not my intention to move the Amendment in the 74th clause of the Burials Bill of which I have given Notice. I found that it would have no support on this side of the House, and I could not expect support for it from the other side. I shall, therefore, not trouble your Lordships with a useless discussion and still more useless division.

SOUTH AFRICA—ANNEXATION OF THE TRANSVAAL.—THE PROCLAMATION.

THE EARL OF CARNARVON: My Lords, it may be interesting to your Lordships that I should read a telegram which I received about 20 minutes ago from Sir Bartle Frere, which gives an outline of the Proclamation of Sir Theophilus Shepstone. The telegram is dated Capetown, April 25, and is in these terms—

"Sir Theophilus Shepstone issued Proclamation 12th April. Recites commission, sketches history of existing disorder and anarchy, refers to wishes of inhabitants that country be taken under British protection, declares territory henceforth British, continues existing Courts. Transvaal will remain separate Government, Queen's new subjects to enjoy reasonable legislative privileges, arrangements for optional use of Dutch language, existing laws to remain until altered by competent legislative authority, equal justice to all races, private rights to property respected, Government officers able and willing to serve continued in office, *bonâ fide* concessions and contracts of State to be honourably maintained, payment of State debt to be provided for. Another proclamation notifies assumption of office as Administrator of Transvaal, a separate address to Burgher population, the war tax suspended. Inhabitants reported to acquiesce willingly in new order of things."

My Lords, about an hour or two before the reception of that telegram, another reached the Colonial Office, from Sir Bartle Frere, dated the day previous—the 24th of April. It does not supersede the telegram I have just read, but I will read the last paragraph of it to your Lordships—

"The necessity for annexation seems to be generally recognised as the inevitable result of disorganization in the Republic."

I have also to inform your Lordships that, from information received through a private source, and which is dated April 25, it appears that the Proclamation was recognized as being in a conciliatory spirit, and that the state of affairs in the Transvaal was one of quiet. Of course, all this information is only an outline, and I reserve any positive opinion as to the measure of annexation until I have not only the Proclamation itself, but a statement of the ground on which Sir Theophilus Shepstone acted in the matter.

THE EASTERN QUESTION—THE TRIPARTITE TREATY OF 15TH APRIL, 1856.

QUESTION. OBSERVATIONS.

THE EARL OF ROSEBERY, on rising to ask the noble Earl the Secretary of State for Foreign Affairs a Question of which he had given Notice, and which had reference to the Tripartite Treaty of the 15th April, 1856, said, he had no intention of making a speech on the Eastern Question or of saying anything which would call forth such a speech from any noble Lord on either side of the House. Indeed, he would not have made the inquiry which he was about to make if it had not been for a statement addressed to their Lordships last month by the noble Earl (the Earl of Derby), in reply to some observations of his. In the discussion raised on April 19, he drew attention to the dangerous nature of the Tripartite Treaty, and he got this answer from the noble Earl—

"It was a Treaty between England, France, and Austria; and any obligations which we may be held to have contracted under it are obligations to those Powers alone. That being so, the first and most material question is, Does there exist at present, or is there the slightest probability that there will exist, any intention on the part of the French or Austrian Governments to call upon us to fulfil our Treaty obligations? To that question I can give an unhesitating answer. I am perfectly convinced that neither the French, nor the Austrian Government has the slightest intention of calling upon us to fulfil what we are bound to under the Treaty of April, 1856; and consequently I have not thought it necessary to take any steps in regard to that Treaty, or to free ourselves from the obligations which it involves."

Now, if that answer had been given by the Austrian Secretary for Foreign Affairs, it would have been satisfactory; but coming from the English Secretary for Foreign Affairs, it required some further explanation before it could be regarded in that light. He could not see how the *ipse dixit* of an English Minister could abrogate a Treaty to which two Powers besides England were parties. The confidence in the matter displayed by the noble Earl reminded him of what was not an uncommon occurrence outside that House. It sometimes happened that a person was asked to back a bill merely as a "matter of form;" but at the end of three months it became evident that the thing was a reality. Thinking over the noble Earl's answer, he came to the conclusion that it could only have been based on one of four hypotheses. First, that Austria would not in any case be embroiled in the present contest; second, that, in that case, she would prefer to fight alone to fighting with the help of Great Britain; third, that she had no right to compel us to go to war under the disputed Treaty; fourth, that she had given Her Majesty's Government her assurance that she would not call upon us under that Treaty. In answer to the first of those hypothetical reasons he might remark that it was a very delicate subject to launch upon—the liability of Austria

to be embroiled in the present contest; but he might say thus much without unduly trenching on dangerous ground, that no person of ordinary sense could cast his eye on the map of Eastern Europe without perceiving that it was very difficult for Russia to strike a blow at Turkey without touching one of those numerous interests of Austria, interference with which might make it necessary for the latter Power to interfere in the contest. As to the second hypothetical reason—that Austria would prefer to fight alone to fighting with the help of Great Britain,—it was undoubtedly true that any contingent of land forces which we might send to her assistance would be numerically very trifling as compared with the troops which she herself could put in the field; but we must remember that aid in such a way was only one of the sinews of war. A short time ago the Prime Minister, in a very remarkable speech, said that the resources of this country were practically inexhaustible, and that if England once drew the sword she would not sheath it again until right had been done. That being the view of Her Majesty's Government, he could not think that Austria would prefer to fight alone rather than have the aid of Great Britain. He now came to the third hypothetical reason, which he thought was the most intelligible of them all—namely, that Austria had no right under the Tripartite Treaty to compel us to go to war. As their Lordships were aware, the Tripartite Treaty contained two distinct provisions—first, the three Powers which were parties to it guaranteed jointly, severally, and, as far as he could see, unreservedly, the integrity and independence of the Ottoman Empire; and, secondly, they agreed to treat any infringement of the Treaty of March, 1856, as a *casus belli*. What was the situation at the present moment? The Russian Army was marching into the Provinces of the Ottoman Empire. How, then, could it be maintained that the integrity and independence of the Ottoman Empire had not been interfered with? With regard to the second point the noble Earl (the Earl of Derby) had set out in a despatch his views of the Treaty of March, 1856, and according to that view we could not say that there had been an infringement of that Treaty. It was perfectly true that no Power had as yet thought fit to treat that infringement as a *casus belli*; but we had no security that during the progress of the war between Russia and Turkey no Power would treat it as a *casus belli*; and if at any time one of the other Powers who were party to the Tripartite Treaty did think fit to treat the infringement of the Treaty of March, 1856, as a *casus belli*, we might be called on to interfere. With regard to the fourth hypothesis—that Austria had given Her Majesty's Government her assurance that she would not call upon us under the Treaty—that, of course, was a matter beyond his cognizance; but if she had given such an assurance their Lordships ought to be informed of it. If the Treaty had been voided in that way, let the fact be declared. He knew this was a most delicate matter. He believed that connected with the Eastern Question there was none graver than the point whether the Tripartite Treaty was at this moment operative or inoperative. If it was inoperative let the Government declare that it was so; but if it was operative, he held that it was a source of serious danger. He did not believe that any Government could ever engage this country in a war on behalf of the Ottoman Empire; but we might through this Treaty drift into the quarrel, and then not on behalf of English or even Ottoman but of Austrian interests. The noble Earl said the other day that in his opinion Treaties were not eternal. Well, he supposed that was true. Treaties were not eternal any more than Protocols; but he would like to know from the noble Earl what period of existence he assigned to Treaties. Would he give them the average life of man? If that was to be their term, let them be decently buried, and consigned to the sepulchre of archives when they reached it; but let them not sneak out of existence under the impression that nobody was to act upon them. He thought that in the present circumstances it would not be difficult to make an arrangement to free ourselves from the Tripartite Treaty, and he believed that if we did not do that, the day would come when that Treaty would involve us in the alternative of a war on the one hand, or—he would not say dishonour, but a very discreditable proceeding—on the other. He begged to ask Her Majesty's Government, Whether

in their opinion the time had not arrived for entering into an amicable arrangement with France and Austria by which this country may be released from the engagements of the Tripartite Treaty of the 15th of April, 1856?

VISCOUNT BURY said, he could not think that the noble Earl had adhered to his pledge of not saying anything which ought to give rise to a speech on, or a discussion of, the Eastern Question; but he did think there was every reason why something should be said from the Conservative side of the House, to show that those who sat on that side reposed the fullest confidence in the Government. Their Lordships could not but have observed that there had been many discussions recently in which the policy of the Government on the Eastern Question had been attacked by noble Lords on the Opposition side, but in which no utterance of approval or disapproval had come from the benches behind that of Her Majesty's Ministers. That silence had arisen not from distrust, but by reason that those sitting on the Ministerial benches reposed the most absolute trust in the discretion of Her Majesty's Government. While negotiations were pending noble Lords on his side of the House did not wish to make speeches; but their silence might be maintained too long, and now that war had actually broken out, Parliament and the country ought to encourage the Government to continue in the policy they had pursued. To his mind no part of that policy had met with a more distinct and expressive approval than the manly and straightforward despatch of Lord Derby in answer to the Circular of Prince Gortchakoff, which had been made the occasion of a flank attack on the Government by the noble Duke (the Duke of Rutland). The noble Earl who had spoken that evening had spoken in the Russian interest.

THE EARL OF ROSEBERY rose to Order. He had never said a word about Russian interests. Besides, he submitted that the noble Viscount was exceeding the proper bounds in entering on the whole Eastern Question.

VISCOUNT BURY thought he was strictly in Order. He accepted the noble Earl's disclaimer; but he would like to know in whose interests the noble Earl had spoken? British interests were certainly involved in the struggle; and it was no discredit to Russia, from her point of view, that she should want Constantinople; and we knew in our hearts that she wanted it. Her principal ports were in the Black Sea; her great arsenals were in the Black Sea; the mouths of the Danube were in her hands; and it was perfectly intelligible that she should wish to have the command of the Black Sea. Would any one say that British interests were not involved in that? We knew that for three generations the Russian Government had aimed at making Russia a great naval Power. Why else had the seat of government been removed from Moscow to St. Petersburg? Nature had set a barrier against her in the Baltic; but if she could obtain the command of the Black Sea she would be able to achieve the object of her ambition. She made use of soft and honeyed words; but her acts showed that she was bent on an aggression in the direction of the Mediterranean, which the interests of England and the interests of Europe could not allow of. No one could look at the map of the seat of war in the Library without seeing that within a week not only English interests, but the very existence of England might be at at stake. ["Oh, oh!"] Was not the Euphrates Valley the road to India? The Russians were constructively at war with Egypt. They had a Fleet in the Red Sea; and what was to prevent them from sending their ships to the mouths of the Suez Canal? English interests were at this moment most desperately involved, and England should not change front by an abrogation of the Tripartite Treaty.

LORD HOUGHTON said, he agreed with the noble Viscount who spoke last (Viscount Bury) rather than with his noble Friend (the Earl of Rosebery), as to the attitude which their Lordships' House should assume at that moment. When the whole of England and the whole of Europe had been watching with interest a debate on the Eastern Question which had already extended over nearly a week in the other House of Parliament, he thought the voice of their Lordships' House ought to be heard on the question also. The House of Lords was concerned in the discussion of that question equally with the Commons. There was a time when the great issues of foreign affairs were raised far

more in their Lordships' House than in the other House of Parliament. There was a time when the voices of the greatest orators of their Lordships' House were heard; and he would be glad to see a renewal of it. He could not fall in with the suggestion of his noble Friend (the Earl of Rosebery), that the proceedings on the present occasion ought to be confined to an oratorical duel between himself and the noble Earl the Secretary for Foreign Affairs. England and Europe in general ought to be enlightened by the wisdom and experience of their Lordships' House. He could not, indeed, support the Motion of the noble Earl, but if it elicited a discussion good could not fail to be the result. Upon the immediate question before the House he was bound to say he saw extreme difficulty in the course suggested by his noble Friend—namely, that there should be an abrogation of the Tripartite Treaty. Having taken some little pains to inform himself on the point, he believed that it would be as entirely contrary to precedent as it would be discreditable to honesty and common sense to maintain a Treaty as long as it did not carry with it any peril or any complication, but the moment it did to ask for its abrogation. Such a course would not be consistent with the honour or with the custom of England. He remembered a very eminent officer who resigned his commission before the Crimean War broke out. After the declaration of war a reverend friend said to him—"How very grateful you ought to be that you left the Army before it became dangerous." Now, that was the position in which his noble Friend wished to put this country—he asked that she should give up the Tripartite Treaty the moment it became dangerous. Their Lordships knew that the great Treaty of March, 1856, was signed by all the Five Powers. By Article 30 of that Treaty it was recited—

> "His Majesty the Emperor of all the Russias and His Majesty the Sultan maintain in its integrity the state of their possessions in Asia such as it legally existed before the rupture."

Now, that was not exactly the present state of affairs. In anticipation of a particular event, three of the Great Powers determined to draw up the Treaty now known as the Tripartite Treaty. Why the Five Powers did not join in that act he did not very well understand. Perhaps it was that as Italy was then only Sardinia, and Prussia was not Germany, the Three Powers determined that the second Treaty should be one confined to the two great military Powers, Austria and France, and the great naval Power, England. There must have been a strong belief on the part of the Three Powers, and of our own Minister, Lord Clarendon, that Russia was not to be trusted in respect of the maintenance of the conditions of the Treaty of March, 1856, and that the time might come when she would free herself from the obligations of that Treaty. That being the case, the Tripartite Treaty was not a complement or a supplement of the Treaty of March, 1856, but was a special and separate document with a special and separate meaning. That meaning was that if the interests of Austria on the Danube were seriously in danger England would not be indifferent to that danger. Mysterious Germany spoke but little, but she spoke enough to make us understand that she would be unwilling to see the mouths of the Danube fall into the hands of Russia. He was not one of those who believed that India would be lost if the Euphrates Valley were in the hands of Russia; but he did believe that there would be the greatest danger to English interests if Russia became so dominant in Persia as that Persia was at her beck and the Persian Gulf in her hands. These were questions of ultimate danger, though not of pressing danger. Supposing that Russia had no design of territorial aggression, then the Tripartite Treaty would be perfectly harmless; but, on the other hand, suppose that, having entered on what many persons said was a most unnecessary war, and what Her Majesty's Government declared to be an aggressive war, and that her design in making it was territorial aggrandizement—then we stood on the firm ground of the Tripartite Treaty, and we could call on the other Powers who were parties to that Treaty to assist us in vindicating it. That being the case, he did not see any reason for asking for its abrogation. He did not think we could do so without a breach of honour. He was sure we could not do so without a breach of neutrality. We were in a position of neutrality, and it was our business to maintain it not merely in form, but in

reality, and he could not conceive a greater breach of neutrality than for England to come forward and ask the two other Powers to agree to an abrogation of the Tripartite Treaty.

LORD STANLEY OF ALDERLEY: When the noble Earl (the Earl of Rosebery) asked Her Majesty's Government to abrogate the Tripartite Treaty, on the ground that it was not for the protection of British, but of Austrian or Turkish interests, he, by implication, impeached the conduct of the Government which in 1856 negotiated and concluded that Treaty. The noble Earl said nothing of what would be the effect throughout Europe if Her Majesty's Government were to assent to his Motion. It would greatly discourage France, which was at present divided between a desire to maintain the alliance with England, and a desire for an alliance with Russia. But it would still more discourage Austria, which had stood by us through these negotiations, and it would furnish a fresh occasion to Prince Bismarck to launch epigrams against England for showing the white feather, and on her complete effacement.

LORD HAMMOND said, that at a time when the Turkish Empire was struggling for existence it would not be consistent with the neutrality which we professed, to relieve Russia from the check which the existence of a Treaty, the object of which was to secure the integrity and independence of Turkey, was calculated to impose on any views of territorial aggrandizement at her expense. He did not think that the noble Earl who had brought the question forward (the Earl of Rosebery) had so established his proposition as to induce their Lordships to accept it. He apprehended that before we made any such application to France and Austria as that which the noble Earl suggested, we ought first to ascertain in what way such an overture would be received—for if it were rejected our position would be a very painful and difficult one. Neither France nor Austria might be prepared at the present moment to call upon us to fulfil the engagements of the Treaty; but, at the same time, Austria especially might feel very reluctant to release us from the obligation of joining her in maintaining the independence and integrity of Turkey—for in the course of the war demands might be made by Russia which would be both unpalatable and even dangerous to Austria. England and France might not be so much interested as Austria in the territorial question; but they were both interested as regarded the occupation of Constantinople and of the Bosphorus and Dardanelles by Russia. Any such occupation would not only be dangerous to them, but also to every Power on the shores of the Mediterranean. We must not disguise from ourselves that if Russia were once in possession of either of the shores of the Bosphorus and Dardanelles she might defy the united navies of Europe. It might be that Turkey had forfeited all claim to material or moral support; but there were other interests affecting England and Europe at large, which we could not disregard, although, in providing for them, we incidentally contributed to support the Ottoman Empire.

THE EARL OF DERBY: My Lords, I have waited to see whether any other noble Lord would address the House on this question; but, as no one seems inclined to do so, perhaps it may be as well that I should at once, and without entering into the larger and more general question, proceed to answer the inquiry made by the noble Earl opposite (the Earl of Rosebery). Now, I am bound to say that though the subject of his Question is one of extreme delicacy, yet it is one of such great importance that I am not surprised the noble Earl should have thought it right to bring it forward; and I must further say that the observations he made in putting the Question were in a spirit of temperate and impartial criticism. I have nothing to complain of in the Question or in the manner in which it has been put; but when the noble Earl says he is not reassured by the explanation which I gave the other night, and that it is impossible to know how soon we may be called on to fulfil our engagements under the Tripartite Treaty, and when he illustrates the position by a circumstance of which I hope many of your Lordships have not had experience,—that of persons who, having put their names on the back of a bill as a matter of form, find that their having done so was anything but a matter of form—I must, in reference to that illustration of the noble Earl, say that the names on the back of this particular bill are not those of

persons with whom I have the honour to act in political life, and therefore whether it was wise to contract an engagement so stringent is a question which I must leave the noble Earl to settle with those who represented the Liberal Government in 1856, and those —happily more numerous—who represented the Liberal Government in 1871, when what was done in 1856 came under revision, and when the Government of the day did not think it necessary to ask for the abrogation of this Treaty. If I were to answer the noble Earl's Question generally, I should have no objection to go this length—I would willingly admit that any engagement which, like this Treaty, binds the parties to it to regard a certain condition of things as a *casus belli*, and binds them to that in circumstances which it is impossible to foresee, may cause grave and serious inconvenience, involving as it does an engagement to go to war at a time when it is possible we may be engaged in hostilities elsewhere, or at a time when the state of public feeling in this country would make it impossible for us to act up to our engagements, or at a time when there would be no English interest to be served by your doing so. If, therefore, the question were whether I should or should not be ready on behalf of the British Government to enter into an engagement like this Tripartite Treaty, I frankly admit, for my part, that I should hesitate a long time before I should take that course. But I do not agree with the noble Earl when he went on to say that the practical risk of our being called upon to act on this engagement was greater than I represented. The noble Earl argued the question very logically when he put hypothetically these four conditions, as those which alone could give us security against being so called upon:—first, that Austria will not in any case be embroiled in the present contest; second, that in case she were she would prefer to fight alone rather than to fight with the help of Great Britain; third, that she has no right to compel us to go to war under the Tripartite Treaty; and, fourth, that she has given the Government her assurance that she will not call upon us under that Treaty. Now, I admit at once that Austria is not free from the possible danger of being embroiled in the war which is at present being waged.

The Earl of Derby

Next, I agree that if she were embroiled in it, obviously it would be to her advantage to fight with this country for an ally rather than alone. As to the third point, the question, what claim Austria might have under this Treaty to call on this country, involves various considerations, difficult to discuss in a merely speculative manner. The Treaty having been framed to preserve the integrity and independence of the Turkish Empire, the question might not be unfairly raised whether, if the contracting Powers had allowed that integrity or that independence to be violated, and war having broken out between Russia and Turkey, one of those contracting Powers, at a later period of the war, would have the right to call upon the others, not on the ground that the interests originally defined had been attacked, but on the ground that other interests had come to be involved. I am not giving an opinion on that question—I only mention it because the noble Earl touched on circumstances which might hereafter arise to induce one of the contracting parties to call upon the others. I think it might be a question whether, having allowed the time of action to pass, Austria would be entitled to call upon us later under the Treaty, on the plea that her own interests were concerned. Then as to the fourth assumption of the noble Earl, which raised the question whether Austria has given us an assurance that she will not call upon us under the Treaty—well, my Lords, I cannot say that in so many words we have had any assurance of that kind; but so far as one can judge by the language and actions of Austria what her course is likely to be under circumstances which have long been foreseen, I think I may say that in the attitude of the Austrian Government throughout the long and complicated negotiations which everyone at least knew might end in that war which unhappily has broken out, we have seen nothing to lead to the idea that Austria has any intention to stand on her Treaty rights in this matter. To the French Government the noble Earl did not allude, and perhaps with regard to that Government it will be enough to remind your Lordships that, like ourselves, France has announced her intention of observing a strict neutrality; and I apprehend when

a Government announces its intention to maintain a strict neutrality, though the case has arisen in which it might call upon the other parties to the Treaty to join in action, it may be assumed that by such announcement it foregoes any claim to ask at a subsequent period for assistance in war. Then there remains the question whether it is expedient at the present moment to take the step proposed by the noble Earl and communicate with the other Powers with the view of withdrawing from the engagements of the Treaty. I do not think this would be the moment to take that step. You have to consider in dealing with these international engagements, not only what will be the actual effect of the thing you do, but what will be the interpretation put upon your acts and what will be the conclusions drawn from them. It is one thing to say that we are not going to war to maintain the Ottoman Empire, and another to take a step which might be understood by Europe — and not unreasonably—as a formal announcement of our indifference to whatever might occur. We have been and are in very confidential communication with the Government of Austria—there has been a confidential interchange of ideas between us—and I have not, for my own part, the slightest idea that the Austrian Government will call upon us to act on the conditions of this Tripartite Treaty in a manner which might be a cause of embarrassment to us. When the war now unfortunately being waged shall have come to an end, it will no doubt be necessary to reconsider and revise the engagements of the several Powers as set out in the various Treaties now existing, and which an altered condition of affairs may render no longer applicable. When that time comes it will be a fair question to consider whether the engagements of the Treaty of 1856 should be longer continued; but I think that at present to adopt the course suggested by the noble Earl would be injudicious and impolitic.

THE DUKE OF ARGYLL said, that by what on a former occasion he ventured to describe as "the destructive criticism" of the noble Earl (the Earl of Derby) he had rather challenged a defence of those whose names were to the Tripartite Treaty. He (the Duke of Argyll) was not going in their defence to say that distant and contingent promises were to be evaded. He remembered that some anxiety which had been raised by a Treaty entered into by the noble Earl himself was at once relieved by an explanation from the noble Earl that the document meant nothing at all. However, this was too grave for mere repartee, and from this he passed as unworthy of occupying the attention of their Lordships. He could not, however, but feel that in the discussion to-night there had been on the noble Earl's part a total suppression of the real arguments and facts which were determining our position in respect to the Treaty of 1856. Let their Lordships remark the position of embarrassment with which this country and the other Governments of Europe were placed in respect to those great instruments which were deemed the determining instruments of the public policy of the year 1856. It was a position of embarrassment, not to our own Government only, but to all the other Governments that were parties to those Treaties. And why? Because they were crumbling beneath our feet, and the very parchments on which they were written were scattered in fragments along the shores of the Black Sea. Why, then, were the Governments silent at such a time? They were silent because those Treaties were breaking down through the infamous conduct of the Government of Turkey. Her cruelty and her breach of every solemn promise she had given to these Powers, made it impossible for us to defend her from the consequences of her own acts. He did not intend to say a word in hostile criticism on the Government; but since the Papers were distributed only last week war had broken out, and the public attention would be exclusively directed to the future, and not to the past. Some of their Lordships might read these Papers, together with some Members of the other House and a few members of the Press; but practically they would be dead letters. The impression they had left on his mind was that they did not afford the slightest ray of hope of improvement in the internal government of Turkey. Our own agents reported that things were, indeed, worse than ever. Mr. Reade, our Consul at Rustchuk, declared that the oppression exercised by the Mahomedan officials over the Christian populations was worse

than ever it was before, because they now flaunted in the face of the people that the Turkish Government had successfully defied all the Powers of Europe. That despatch was, he believed, only a few weeks old. It was said on behalf of Turkey that she had been prevented from reforming her internal administration at first by the fear of war, and now by the presence of a hostile army on her frontier. But Turkey might, notwithstanding, have taken some steps towards improvement—she might have appointed some Governor over the disaffected Provinces whose name would have given confidence to Europe. When Russia or Turkey wanted an effective naval officer for any particular service, they came to the British Admiralty; and if Turkey had desired to give a pledge to the Powers of Europe she might have appointed a Governor over Bulgaria in whom Europe felt confidence. On the other hand, evidence was not wanting from the Commissions of Philippopolis and other transactions that the Turkish Government had used every endeavour to foil justice and to prevent the punishment of the miscreants who had committed the Bulgarian atrocities. And what thanks did the British Government get for their patronage of this iniquitous and detested Government? Lord Derby, who had humbly and with bated breath recently made some recommendations to the Porte, received a most insolent answer from the Grand Vizier, who told him that Turkey wanted no foreign interference. Those were the thanks the Government obtained from the Grand Vizier for their protective kindness for the Turkish Government, and those were the reasons why the Government could not and dared not enforce the Treaty of 1856. There was a maxim equally true in politics as in private life, that honesty was the best policy—and it would be a monstrous injustice and a crying shame to do anything to keep such a Government as that over 14,000,000 or 15,000,000 of the Christians of Europe. He repeated that no ray of hope could be held out that if war had not been resorted to there was any prospect of amendment in the Government of Turkey. This Blue Book had informed him of a fact which he had learned with amazement — that the Government of England was not only a party to the Protocol of March 31, but almost as much a party to the Declaration that accompanied it. The facts were these —When the Protocol was first communicated to the Government, Lord Derby said that he had no objection in principle to the signature of such a document, but the price to be paid for it was a promise on the part of Russia that she would disarm. What was the language of Russia? He (the Duke of Argyll) denied that she had "sprung a mine" upon England or upon Europe. The Russian Government said distinctly that they would not disarm for the signature of the Protocol. Lord Derby thereupon said that he must consult the Cabinet, and he took some time before he gave his answer. He then told Count Schouvaloff that the Cabinet objected to sign the Protocol, except on the condition of disarmament. Count Schouvaloff stood firm, and said, "We cannot and will not disarm until we have obtained from Turkey certain securities for the improvement of the condition of her Christian populations." A separate sketch containing three conditions was placed in the hands of Lord Derby, and he said he would consult the Cabinet whether they would sign or not. The Cabinet, after knowing the intentions of Russia, the nature of the Declaration, and the separate terms she demanded from Turkey, determined to sign the Protocol. He (the Duke of Argyll) said that under these circumstances the Government of England were a party to that Declaration, and that this was one transaction—the Protocol, with its accompanying Declaration. He ventured to think that the Government had taken a wise course, and that they did right in supplementing that demand on Turkey. That was followed by a despatch, dated April 5, from Lord Derby, urgently requiring that Turkey should accept the Protocol in conjunction with the Declaration. He said the Turks would be most unwise if they did not accept this Declaration, and that if Turkey did not do what was required she would be put in the wrong in the eyes of Europe. In all these transactions the proof was incontestable that our present situation with regard to the Treaties of 1856 was due to the absolute refusal of the Porte to make any and every concession — even the most reasonable, and urged in the most modified and temperate form. He (the Duke of Argyll) must break his promise

not to criticize the conduct of the Government to do so only with regard to one point, which was this — In the answer which the noble Earl made to the Russian Declaration of War he had used this argument—the Protocol asked no new guarantee from Turkey. Was that a fair statement? He quite agreed that the Government of England was free to answer that Circular perhaps they were called upon to answer it, without consulting the other Powers of Europe. England had a position which entitled her to speak independently, and she ought to speak when she did speak with no bated breath. He did not object to the independent tone of the answer; he did not object to the answer because it was insulting to Russia, but he did object to it because it was incorrect in its statement of fact. It was not true and fair to say that the Protocol demanded no new security for the Christians of Turkey—it was a mere verbal quibble to say so; the Protocol did not, but the accompanying Declaration did; we were parties to both, and we urged both upon the Government of Turkey. Under these circumstances the Declaration did demand of Turkey securities for the better government of her Christian subjects; and in supporting that view we did rightly, and in refusing to recognize it we did wrongly. Our position—our embarrassing position as regarded Treaty rights, resolved itself into this at last: we were dealing with a Government utterly barbarous, utterly faithless, and which it was impossible for us to save.

LORD DENMAN said, that Treaties such as those of 1815 might for a time be inoperative as to parts of them; while, in the main, such as in the great principle of the abolition of the Slave Trade, they remained intact. During the 21 years in which he had been a Member of their Lordships' House, he had been most respectful in his language towards foreign Potentates; but he must remind their Lordships of the speech of the 14th Earl of Derby, on the 18th of April, 1859, on the refusal of a Congress, at the instance of Russia, in which that noble Lord said—

"I am quite sure, also, that the maintenance of peace will be materially strengthened and supported by the knowledge throughout Europe at large that this country will not be allowed to remain a helpless or a feeble spectator of events that may compromise her dignity and her honour; and that a serious responsibility will rest on the head of that Power, whichever it may be, that without due provocation, and without the most urgent and imperative necessity, merely to gratify its own ambitious aims, precipitates the evils, the dangers, and the crimes of war."—[3 *Hansard*, cliii. 1857.]

He (Lord Denman) would also call their Lordships' attention to a speech of Mr. Cobden, also to be found in *Hansard*, and to the words of the then Chancellor of the Exchequer, in answer to it—

"The present, like previous Administrations, have deemed it a matter of general European concern, and therefore of British concern, that Turkey should not be made the subject of foreign intrigue and of foreign aggression. My hon. Friend used very strong language on this subject when he said that the people of England—I forget the exact words—had been in a state of disgraceful panic and cowardice with respect to apprehended designs of Russia on Turkey. It is not now necessary to go back to a discussion of the causes of the Crimean War; but I am bound to say when we speak of non-intervention in Turkey—when we speak of repudiating all ideas of resisting the natural and general development in force, numbers, and intelligence of the Christians of that Empire—we by no means mean to assert that the ancient policy of this country is to be repudiated, and that we hold it henceforth a matter of indifference what schemes are formed by any foreign Power against the existence, or against the territorial independence, of the Ottoman Government. And I am bound to say also, that while a real and lively sympathy does exist throughout the country for the Christian population of Turkey, on the other hand there does exist a belief that the principles on which the Crimean War was waged were sound principles, and that the question whether wholesale aggression from any European Power on Ottoman territory is to be permitted or not is a fair subject for consideration by the British Government, and for the adoption of such measures, whether of diplomacy or force, as circumstances may appear to the Government to warrant. My hon. Friend, towards the close of his speech, drew a deplorable picture of the general condition of the Turkish race. I ask not whether the description is in all respects accurate, or in some degree exaggerated. I am afraid, as regards the history of the Turks from the time of their first appearance in the Western world to the present day, he would be a very bold man indeed who was prepared to contend that their conquests and dominion have been favourable to the happiness of mankind or the progress of civilization. But, however that may be, what is the use of drawing these highly coloured pictures, unless you recommend a particular policy?"—[3 *Hansard*, clxxi. 145-6.]

He (Lord Denman) would further call their attention to a speech of Mr. Gladstone on the Neutralization of the Black Sea, on March 7th, 1871, in which that right hon. Gentleman said—

"It will be beyond the power of the Government adequately to discuss that subject while the Conference was sitting."—[3 *Hansard*, cvii. 1505.]

Further than that, on March 9th, Sir Charles Dilke was against the acceptance of that Conference, at which France could not be represented. This Motion was withdrawn; but it was now the custom to discuss the whole Eastern Question, out of Parliament and in Parliament, whilst negotiations were going on, and the conduct of the Government of the day in declaring on 14th of February, 1871, that the Treaty was only intended to last for 20 years, or only during Lord Palmerston's life, showed that they were ready to patch up a hollow peace with a mental reservation, and not to give that fair play to Her Majesty's Government which they had obtained for themselves. As the Treaty of Paris, instead of claiming any compensation, was of itself the only fruit of the Crimean War, it could not be abrogated without the most serious co-operation of all the parties to it.

THE EARL OF DERBY: My Lords, I can of course speak again only by your Lordships' indulgence. An entirely separate question has been raised by the noble Duke. I do not at all object to the course he has taken, because, no doubt all the questions that have been discussed this evening are more or less connected one with the other; but, at the same time, I may say that there is a certain inconvenience in discussing the correctness or incorrectness of language held in diplomatic documents when you are not aware that a discussion is to be raised, and you have not the documents before you. I do not want to argue any of the matters touched upon by the noble Duke. I only rise utterly to repudiate and disclaim the construction which the noble Duke has placed upon the transactions in connection with the Protocol and the Russian Declaration. The noble Duke argues that because we are responsible for the Protocol, therefore we are responsible for the Declaration, which was the sole work of Russia. My answer is simply this—The very fact of a Declaration being made by one Government alone, upon its own account, and not in a collective document, is a sufficient indication, to my mind, that only the Government that issues the separate document can be responsible for its contents. I should not contend that the Russian Government could be held in any manner responsible either for the general tenour or for the language of that Declaration, which, on the part of Her Majesty's Government, I appended to the Protocol. I cannot, therefore, either exercise any control or accept any responsibility for that other Declaration which was made by the Russian Government.

EARL GRANVILLE said, that while the noble Earl (the Earl of Rosebery) who spoke with great ability, had confined himself very much to the point he had brought before their Lordships, it was a noble Lord on the other side who introduced a much larger question, and he was followed by other noble Lords, before his noble Friend the noble Duke spoke at all. And when his noble Friend did speak, it was to show that it was the fault of Turkey and of the Government of Turkey that the present state of things had arisen; and therefore it was quite natural that the noble Duke should quote Papers which had been laid on the Table a week ago, and with which noble Lords opposite must be perfectly familiar. He must ask their Lordships to read those despatches, which gave day by day descriptions of conversation between the Secretary of State for Foreign Affairs on the one side and the Representative of Russia on the other. As far as his memory went, the noble Duke gave an exact abstract of what passed. The noble Earl (the Earl of Derby) asked for some assurance of demobilization; the Russian Representative gave some reasons, some of which were good and others weak for not doing that. The noble Earl then asked Count Schouvaloff if he could not make some suggestions to remove the difficulty, and he mentioned to him the exact points which were afterwards embodied in the Declaration as a means of avoiding it. On the second occasion the noble Earl said he could not answer a question which had been put at once, but he would refer it to the Cabinet. It was referred to the Cabinet, and the noble Earl accepted the four points which were embodied in the Declaration without one word of objection on the part of the Cabinet, but merely stating to Count Schouvaloff that the Protocol must fall to the ground if disarmament did not ensue. He asked their Lordships very carefully to read the

despatches, which would bear out every word the noble Duke had uttered.

GAME LAWS (SCOTLAND) AMENDMENT BILL.—(No. 44.)

(The Earl of Rosebery.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF ROSEBERY, in moving that the Bill be now read a second time, said, that this had long been a question of vital importance in Scotland. No one who had watched the Elections in that country and the discussions which had taken place there could have failed to see that it was one which created considerable interest throughout the country. That was not entirely attributable, in his opinion, to the excessive preservation of game in Scotland, but to the unusually high state of cultivation and that the system of 19 year's leases gave to the occupier a great interest in the land as compared with the general tenure of land elsewhere. During the years 1871 and 1872 the excitement on this subject had arrived at such a pitch that no fewer than nine Game Bills were introduced into the other House of Parliament. He would trouble their Lordships by adverting to those deceased measures, only so far as to say that the result of the struggle to get the measures through the House was that the more sedate intelligence of a Select Committee was turned upon the matter; and he claimed for the Bill he had the honour of introducing that it was founded mainly on the recommendations of that Committee. The Chairman of the Committee was Mr. Ward Hunt, the present First Lord of the Admiralty, his noble Relative Earl Stanhope, whom he did not see in his place, Mr. Cameron of Lochiel, Sir Henry Selwin-Ibbetson, and Sir Michael Hicks-Beach, who were, or had been, Members of the present Government. He did not suppose that a Bill framed on the recommendations of a Committee so composed would be likely to have a very revolutionary character. He would proceed at once to state what the provisions of the Bill were. The first provision was to assimilate the law of Scotland to that of England, and to give a definite right to the game to the tenant instead of to the landlord—in other words, to reverse the presumption of law that the right to the game was vested in the landlord in the absence of any express agreement to the contrary, and to vest it in the tenant. The effect of that provision would be that unless there was an express reservation in the lease of the game to the landlord, the lessee would have the exclusive right of hunting and killing the game on the land of which he was tenant. The next provision of the Bill was that in any lease in which the game was reserved to the landlord, there should be some fixed amount by way of compensation for the damage done by the game so reserved, and that the amount of actual damage should be ascertained if possible, and be made subject of agreement between the landlord and the tenant. In the event of disputes arising between the landlord and the tenant as to the amount of damage done, there was a provision of reference to arbitration; and failing that the matter would be brought before the Sheriff. Now with regard to that point he would read two answers given by an eminent authority, Mr. Irving of Drum, before the Select Committee. In answer to one of the questions put to him on the present state of the law he said—

> "I apprehend that the tenant, in making the contract, took into consideration the existing amount of game on the farm just in the same way as they would take into consideration any inconvenience and drawback that might tend to decrease the value of the farm."

The Bill did not provide for the total amount of damage done, but for the excess over a certain amount of damage fixed beforehand. Now it was obvious that according to the present working of the Game Laws of Scotland they could not absolutely estimate the amount of the damage caused by ground game, unless they established some basis; they might then estimate the damage over the ordinary amount which the tenant might contemplate when he entered on the land; and this Bill proposed to substitute for the amount of damage an actual money value, which would be much easier estimated than any theoretical amount of damage. It was obvious that the middle-aged landlord might not be so keen on the preservation of game as a younger man, who might be more desirous when he came into his inheritance to raise the head of game on

the estate higher than it was when the tenant entered on his lease. The arrangement, therefore, proposed by the Bill was necessary to prevent dispute between the landlord and the old tenant. The next provision of the Bill to which he wished to call attention was the proposal to transfer the questions which arose under the Game Law from the justices of the peace to the Sheriff. There was a strong feeling in Scotland that justices of the peace, being largely concerned in the preservation of game, ought not to be allowed to try cases of poaching. It was, in fact, a strange anomaly that a justice of the peace in Scotland should have the power of trying cases against Game Law offences, while in other cases the parties who were interested were not allowed to act in such cases in a judicial capacity. For instance, keepers of breweries and distilleries could not try Excise cases, nor owners of factories hear cases of breach of the Factory Act. He thought it would be rather an advantage to the magistrates themselves as well as to the administration of the law that the Game Law offences should be tried by the Sheriff. The last provision to which he would call attention was this—At present offenders were liable to be prosecuted more than once for the same offence—and he believed that under the present law of Scotland many persons had been charged five or six times for the same offence. There were also two minor provisions—to enable the tenant of a farm to kill hares and rabbits and to give leave to a friend to do the same, and to enable anyone to kill rabbits on taking out a gun licence. He did not know that there could be any objection to such a provision as that. The Bill was certainly not a very revolutionary one, and it was based on the recommendations of the Committee. He knew it to be an honest, and he trusted an adequate attempt to solve a matter of great difficulty.

Moved, "That the Bill be now read 2ª." —(*The Earl of Rosebery*).

THE DUKE OF BUCCLEUCH said, he would not oppose the second reading of the Bill. It was true that there had been a great many Scotch Game Bills brought into the other House, but that was only a proof of the agitation which had been created, as he thought, unnecessarily upon the subject. It had formed an excellent topic upon which to make exciting, not to say inflammatory, speeches on the hustings—talking about the poor oppressed tenants whose profits were all eaten up by an imaginary quantity of game. He believed an excess of game was the exception on Scotch farms, and not the rule, and there were very few counties in which there was much game preserving in Scotland. It was true that they heard of great battues occasionally, where some thousands of pheasants were shot; but on examination it turned out that they were hand-bred and hand-reared, and only turned into the coppice for a short time before they were destroyed by the sportsman. He thought, from the specimen he had seen of the Bill, it was much more likely to give rise to quarrels between landlords and tenants than to prevent litigation. Who was to settle the question of what amount of damage was done to the crops, and how was it possible to estimate it at so much per acre? The way in which such questions were dealt with and settled now was that when a tenant made an offer for a farm, he took into calculation all the drawbacks to which it was subject; and he (the Duke of Buccleuch) knew himself that the damage done to the crops by the game was always a subject of discussion, and landlords were always willing to consider the damage in the amount of the rent. But to say what the damage was per acre would be a very different matter. Then, again, the game that did the damage to a farm belonging to one owner very often came from the estate of another, and it would be very absurd that the landlord of a farm was to compensate the tenant for damage caused by the hares and rabbits of his neighbours. The tenants often took the trouble to scare away a few rooks from a cornfield, which were practically doing more good than harm, while they stood stick in hand gazing at the wood pigeons, which were doing far more harm. This measure completely altered the whole law of Scotland, and took away the property in game from the proprietor to vest it in the tenant, who might be here to-day and gone to-morrow, and who would take no care to preserve the game on the farm, unless with a view to show how much damage he sustained by it. In so far as the Bill took away the rights of

the landowner, he would in Committee move Amendments in the sense of the Agricultural Holdings Act in England. Why should there not be the same freedom of contract between landlord and tenant in Scotland as in England or anywhere else? Then, again, he objected to the change proposed by which the Justices were not to adjudicate upon Game Law offences. He could not understand how it was that it was such a dreadful thing for a Scottish proprietor of land to hear a case of offence against the Game Laws; yet it seemed to be considered such a dreadful iniquity that it was impossible to tolerate it. They had no such officer as Sheriff Substitute in England. Did the noble Earl (the Earl of Rosebery) think that Scottish Justices of the Peace were not quite as impartial and just as English Justices. He had himself acted as Justice of the Peace in Scotland, and he would not allow such an aspersion to be thrown upon an excellent body of men, for whom he had the highest respect. He had no objection to such cases being heard by the Sheriff Substitutes, but he did not think that they would deal with them one whit better than the Justices. With respect to the liberty given by a tenant to a friend to shoot hares and rabbits, of course that would be limited to the land which he occupied.

THE MARQUESS OF RIPON said, he rose solely for the purpose of suggesting to the noble Earl (the Earl of Rosebery) an Amendment that he thought would improve the Bill—namely, the adoption of a recommendation which was approved by the Select Committee. In cases where the damage was done not by game living on the land of the owner, but by game coming from the property of a neighbouring owner, hardship was inflicted not on the occupier only, but on the owner. The landlord would lose in rent, and the occupier in damage to his crops. He found no provision in the Bill to meet that case, although he believed it would be found that the Select Committee had laid it down that the owner of preserves should be made liable for damage done by his game to his neighbours. He supposed the House of Commons had not seen their way to carry out that recommendation. He was by no means sure whether under Clause 5 such owner would be liable for any damage whatever. The matter, however, came distinctly within the purview of the Bill.

THE DUKE OF RICHMOND AND GORDON said, he was not inclined to agree with the noble Duke behind him (the Duke of Buccleuch). In justice to the hon. Member who introduced this Bill into the other House of Parliament (Mr. M'Lagan), he felt bound to express his belief that he did so without any electioneering view whatever, and was only influenced by a desire to remove those feelings of heartburning and jealousy which certainly prevailed in some parts of Scotland—and he was happy to say it was only in some parts of Scotland that such things did exist. He was not going into the details of the Bill. He believed a noble Duke who was present just now, but was obliged to go away from indisposition (the Duke of Argyll), would move some Amendments in Committee. The noble Duke (the Duke of Buccleuch) was wrong in supposing that the Bill interfered with freedom of contract. If it interfered with freedom of contract in the slightest degree, he should himself have as strong an objection to it as the noble Duke. The part which the noble Duke fancied interfered with freedom of contract, in reality did no more than this—it set up a basis on which damage could be assessed. They got a sort of *datum* line, from which they could start to assess damage done by game; whereas, if they had no such figures, it would be difficult to assess the amount of damage done to a farm over and above the amount which might naturally be expected. There was some obscurity in the clause, which the noble Marquess (the Marquess of Ripon) drew attention to as to reservation; and there was another point which was not very clear, and that was whether the owner might not be liable even for damage done by rabbits which were not reserved. He merely threw out those hints for the noble Earl to consider before going into Committee. Another point he would call attention to was whether there would be an arrangement by which the landlord might have some security for the expense he might be put to in ascertaining the damage done over and above the amount that might be fixed. If a tenant complained to a landlord of damage done on a particular farm, the landlord might send a competent valuer to go over the farm to

assess the value in excess over what was agreed upon; and that might take place over and over again, and the tenant might never go to court. In that case the practice might give rise to bad feeling between the landlord and tenant. The landlord might be put to considerable expense to have the damage valued, while the tenant never intended to go into court. There might be some clauses introduced to meet the difficulties which he had pointed out to the noble Earl on this question. He had no other observation to make on the Bill. He believed it to be an honest attempt to put a stop to a state of things which, if they could be put a stop to, it was very desirable to do it.

THE EARL OF ROSEBERY, in reference to the presumption of law being in favour of game belonging to a tenant who, it was said, might be here to-day and gone to-morrow, reminded their Lordships that in Scotland the tenants held leases for 19 years. He admitted the Scotch Justices did their duty quite as well as the English; but it appeared to him desirable to transfer the game cases to the Sheriffs, in order to avoid any possible reproach that might arise from the Justices themselves being preservers of game. With regard to depredations committed by a neighbour's game, that was a difficult subject to deal with, and he hardly saw his way through that part of the question. He could not help thinking that the expenses of the valuer might be provided for by arrangement in the lease, as was done in many valuations at present.

Motion *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* the *7th of June* next.

METROPOLIS IMPROVEMENT PROVISIONAL ORDERS CONFIRMATION BILL [H.L.]

A Bill to confirm certain Provisional Orders of one of Her Majesty's Principal Secretaries of State for the improvement of certain areas within the Metropolis—Was *presented* by The LORD STEWARD; read 1ª; and *referred* to the Examiners. (No. 72.)

House adjourned at a quarter past Seven o'clock, till To-morrow, half past Ten o'clock.

The Duke of Richmond and Gordon

HOUSE OF COMMONS,

Monday, 14th May, 1877.

MINUTES.] — SELECT COMMITTEE — Public Offices and Buildings (Metropolis), *nominated*. Parliamentary and Municipal Elections (Hours of Polling), Mr. James Cowan and Mr. Serjeant Spinks *added;* Lord Cochrane's Petition, *nominated*.

WAYS AND MEANS—*considered in Committee*—Consolidated Fund (£5,900,000) *.

PUBLIC BILLS—*Resolutions in Committee—Ordered — First Reading*—Factors Act * [168]: Pier and Harbour Orders Confirmation (No. 3) * [166].

Ordered—First Reading—Saint Stephen's Green (Dublin) * [167], and *referred* to the Examiners.

Second Reading—Summary Jurisdiction (Ireland) (No. 2) * [159].

Third Reading—Norfolk and Suffolk Fisheries * [158], and *passed*.

QUESTIONS.

DUMFRIES PUBLIC PARK.—QUESTION.

MR. ERNEST NOEL asked the Secretary to the Treasury, Whether he can inform the House on what ground the warrant of gift of the Hannahfield estate to the magistrates and town council of the burgh of Dumfries in trust, for the use of the inhabitants as a public park, ordered by Her Majesty to be prepared in 1873, has now been revoked; and, whether the property is to be conveyed absolutely to the War Office, the public being granted permission, under very limited conditions only, to use the open ground for purposes of recreation?

MR. W. H. SMITH: Sir, no warrant of gift of the Hannahfield Estate was ordered by Her Majesty to be prepared in 1873, and therefore none has been revoked. What has happened is this—In 1873 the Treasury determined the mode in which the estate should be disposed of, the principle of the distribution being that subject to two main considerations — (1) that a portion of the land should be available for purposes of public recreation, and (2) that it should be available for military purposes, the whole estate (less the Crown's share and certain specific donations) should be devoted to purposes of education, effect being thus given to the views of a former

owner of the property. At the time it was thought that the best way of carrying out this design would be to appoint a body of trustees consisting of the magistrates and Council of Dumfries and the Sheriffs and Sheriffs Substitute for Dumfries and Galloway, and to vest the whole estate in them, subject to the conditions specified. When, however, the details came to be arranged, difficulties supervened which proved insurmountable, and it has been decided to vest the estate in the War Department instead, subject, nevertheless, to the same conditions. This will make no difference to the inhabitants of Dumfries, as it is provided that they shall have the same use of the ground for recreation as they would have had if the fee had been vested in the Town Council and Sheriffs.

ENDOWED SCHOOLS — FAIRFORD FREE SCHOOL.—QUESTION.

MR. H. B. SAMUELSON asked the Vice President of the Committee of Council on Education, Whether the inhabitants of Fairford have petitioned the Charity Commissioners and the Education Department against the Fairford Free School scheme; whether the said inhabitants have petitioned or in any way asked for an investigation into the charities of Fairford; if he would state when the eighty days' grace before the coming into effect of the scheme will elapse; and, whether he can delay its enactment until it has been discussed in the House of Commons?

VISCOUNT SANDON: Sir, when a scheme has been upon the Table of both Houses of Parliament for two months without any Address from either House of Parliament against it, it passes entirely out of our hands; and I may add that when the two months have expired, we are advised that the Government has no longer any power to interfere with the matter. This scheme, I am informed, has this day been approved by Her Majesty in Council, and is therefore now law. As some misapprehension has existed about this case, I may add, for the information of the hon. Gentleman, that the great change which was made in this charity, and which is, I believe, the object of the opposition to which he alludes—that is to say, the conversion of funds which were previously used for apprentice fees to objects of education — was made as far back as the year 1871.

PAROCHIAL CHARITIES (CITY OF LONDON).—QUESTION.

MR. FAWCETT asked the Secretary of State for the Home Department, Whether, as he stated in reply to a question addressed to him on April the 23rd that he was in communication with the Charity Commissioners as to what steps should be taken in reference to abuses connected with the administration of certain parochial charities in the City of London, which have been described in the recent Report of these Commissioners, he can now inform the House whether the Government have come to any decision as to the course they propose to adopt with the object of remedying these abuses?

MR. ASSHETON CROSS, in reply, said, he was unable to say yet that any decision had been arrived at, except so far as this—that it was quite clear that matters could not be left as they now were. The Government, accordingly, were in communication with the Commissioners on the subject.

THE DIPLOMATIC SERVICE—LIMITED COMPETITION.—QUESTION.

MR. TREVELYAN asked the Under Secretary of State for Foreign Affairs, Whether the number of qualified Candidates for admission to the Diplomatic Service is sufficient to admit of the extension to that service of the system of limited competition which in recent years has been adopted in the case of first appointments to the Foreign Office?

MR. BOURKE: Sir, it is difficult to say whether the number of qualified candidates would admit of the application of the system of limited competition. There are, no doubt, more applicants than vacancies, and whenever that is the case limited competition is possible; but the number is much smaller than that of the applicants for clerkships in the Foreign Office, and the difficulty of selection is greatly increased in practice by the fact that with the present rates of pay and the cost of living abroad, no man can hold a junior appointment in the Diplomatic Service without private means.

METEOROLOGICAL OFFICE (BOARD OF WORKS)—WEATHER CHARTS.

QUESTION.

SIR EDMUND LECHMERE asked the President of the Board of Trade, Whether it be true that Captain Charles Chapman, of the Merchant Service, is the inventor of the Weather Chart now in use by the Meteorological Office, and through that office by the "Times," the "Shipping and Mercantile Gazette," and other newspapers; and, if so, whether Captain Chapman is not entitled to a letter of thanks from the Department which avails itself daily of his invention; and, whether the Meteorological Office makes any charge for furnishing the information which appears in the Weather Charts, under various forms, in the newspapers?

SIR CHARLES ADDERLEY: Sir, Captain Chapman is not the inventor of the weather charts in the form in which they are now supplied by the newspapers. The Meteorological Office makes no charge for tables or paragraphs, but it makes a charge for charts sufficient, but not more than sufficient, to pay its own expenses. *The Times* pays £500 a-year for its morning edition, but there is no profit out of this to the Meteorological Committee. Captain Chapman introduced into *The Shipping Gazette* a chart in 1871.

THE EASTERN QUESTION—PRINCE GORTCHAKOFF'S CIRCULAR.

QUESTION.

SIR CHARLES W. DILKE asked the Under Secretary of State for Foreign Affairs, Whether Austria, France, Germany, or Italy have addressed communications to Russia of a similar nature to Lord Derby's Despatch of the 1st of May?

MR. BOURKE: Sir, as far as Her Majesty's Government are aware, no answers have been sent by the Austrian, French, German, and Italian Governments to Prince Gortchakoff's Circular.

RUSSIA AND TURKEY—THE WAR—SEIZURE OF A GREEK VESSEL.

QUESTION.

MR. FRESHFIELD asked the Under Secretary of State for Foreign Affairs, Whether the attention of the Secretary of State has been directed to the circumstances under which a Greek vessel named the "Ermes," laden with barley and bound for the United Kingdom, was forcibly seized, unloaded, and detained by the Turkish authorities at Silistria as she was proceeding down the river on the 28th April last, before the expiry of the time allowed for neutral vessels to quit the river; and, whether he will cause inquiries to be made on the subject, and have measures taken for the restitution of the ship and cargo, or for compensation for the loss inflicted?

MR. BOURKE: Sir, the only information on the matter which Her Majesty's Government possess is in a letter to Lord Derby from the insurers of the cargo, which is now under consideration. As the vessel is a Greek vessel, Her Majesty's Government cannot interfere on behalf of it.

FOREIGN ENLISTMENT ACT—TURKISH IRON-CLAD.—QUESTION.

SIR WILLIAM HARCOURT asked the Under Secretary of State for Foreign Affairs, Whether there is any truth in the statement that there is at present an iron-clad, built in this country for the Government of Turkey, awaiting delivery to that Government; and, if so, whether Her Majesty's Government have taken any measures to prevent the breach of the Neutrality Laws in respect to such vessel?

MR. BOURKE: Sir, at the outbreak of the war Her Majesty's Government understood that a vessel of the description mentioned in the Question of the hon. Member was being built in the Victoria Docks, and Her Majesty's Government immediately took steps to prevent any infringement of the Foreign Enlistment Act.

POST OFFICE—POSTAL ARRANGEMENTS (IRELAND).—QUESTION.

CAPTAIN NOLAN asked the Postmaster General, If he can state how many main or cross posts run north and south across a line drawn on the map between the two towns of Cong and Athlone; and, to name the towns between which such posts run, and to state how many hours after the arrival of the post in Tuam, county of Galway, it is forwarded to Claremorris, in county of Mayo?

LORD JOHN MANNERS, in reply, said, that there were no main posts running north and south across a line drawn on the map between the two towns of Cong and Athlone, and, excepting rural posts, which conveyed mere local letters, the only post across such a line was one from Tuam to Claremorris. This post left Tuam at 11 A.M., or nine hours after the arrival of the Dublin Mail at Tuam, but only a few local letters for Claremorris were sent by it, as the principal night and day mails to Claremorris were not forwarded through Tuam, but by the railway branching through Athlone.

PARLIAMENT—OPPOSED BUSINESS—THE COMMITTEE ON THE COMPANIES ACTS.—QUESTION.

MR. CHADWICK asked Mr. Chancellor of the Exchequer, Whether, having reference to the operation of the Rule of the House preventing Members proceeding with any business after half-past twelve, to which notice of opposition has been given, he will afford an opportunity to nominate without delay the Members of the Select Committee on the operation of the Companies Acts 1862 and 1867; whether, if such opportunity cannot be afforded, he will make the Bill for the Amendment of the Companies Acts, which has been read a Second time, a Government measure; and, whether, if neither of the beforementioned suggestions can be adopted, he will consent to the appointment of a Royal Commission to inquire into and Report upon the operation of the said Acts?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I must remind the hon. Member that the Rule of the House preventing hon. Members proceeding after half-past 12 at night with any Business to which Notice of Opposition has been given applies just as much to Government Business, except Money Bills, as to any other Business. As most of the Government Bills have Notice of Opposition placed against them it is very difficult for us to bring forward even Government measures; and, therefore, I could not undertake to add to the mass of Government Business which we have already upon the Paper, a Notice to nominate a Select Committee on the operation of these Acts. I hope, however, that an opportunity will be found for the nomination of this Committee. On the same grounds, I cannot undertake to bring forward a Government Bill on the subject, neither am I in a position to recommend the appointment of a Royal Commission to consider the subject.

RUSSIA AND TURKEY—THE WAR—EGYPT.—QUESTION.

MR. GOURLEY asked Mr. Chancellor of the Exchequer, If, in consequence of the Khedive of Egypt having sent (as bound by treaty) a contingent of troops to aid his Sovereign the Sultan of Turkey against Russia, Egypt is to be considered at war with Russia; and whether, as a consequence, the Russian Government has the right, if able, to blockade Egyptian ports and invade Egyptian territory; and, if, in order to avoid International complications, such as are likely to be the result of the present war relative to the navigation of the Suez Canal, he contemplates recommending Parliament to purchase the whole of the Canal, with its adjoining lands and other properties attached?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the Question which the hon. Gentleman has asked seems to imply that in consequence of the Khedive of Egypt having sent a contingent of troops in aid of the Sultan of Turkey the position of Egypt is in some way altered. But in point of fact, whether the Khedive sent troops to the Sultan or not, Egypt is a part of the Turkish Empire, and, of course, if Russia is at war with the Turkish Empire she is at war with Egypt, as a part of that Empire, and she has, therefore, the right to blockade Egyptian ports and to invade Egyptian territory; and there can be no doubt that vessels carrying contraband of war to and from Egypt would be liable to capture.

THE EASTERN QUESTION—ROUMANIA. QUESTION.

MR. RYLANDS asked the Under Secretary of State for Foreign Affairs a Question of which he had given him private Notice—namely, Whether there is any foundation for the statement that has appeared in the "Times," that the British and Austrian Governments have

agreed upon the terms of a protest to be sent to the Russian Government against any attempt to declare the independence of Roumania, and that the draft protest has been communicated by Lord Derby to the French Ambassador in London?

MR. BOURKE: Sir, the statement alluded to by the hon. Member is altogether incorrect. There is not the slightest foundation for it.

RUSSIA AND TURKEY—THE WAR—MERCHANT SHIPS IN THE SEA OF AZOF.—QUESTION.

MR. BATES asked the Under Secretary of State for Foreign Affairs, Whether the Government will telegraph to the Turkish Government, asking for an extension of time for ships to leave the Sea of Azof to enable them to take on board their cargoes, which it was impossible for them to do last week on account of the heavy rains and bad weather that had prevailed?

MR. BOURKE: Sir, I am sorry that the private Notice which the hon. Member has given me did not reach me until a few minutes ago. Of course, as Her Majesty's Government asked for time to be given with regard to the Black Sea, I have no doubt that my noble Friend the Secretary for Foreign Affairs will consider favourably the suggestion which has been made by my hon. Friend behind me.

THE EASTERN QUESTION—THE DEBATE—MR. BOURKE AND MR. COBDEN. EXPLANATION.

MR. BOURKE: Sir, I wish, with the indulgence of the House, to say a very few words. I mentioned the other day that Mr. Cobden had made a certain statement. I made that statement from recollection, having seen it, as I thought, in one of Mr. Cobden's speeches. The right hon. Gentleman the Member for Greenwich (Mr. Gladstone) asked me not unnaturally for my authority, and I pledged myself at that time to give him my authority. With the permission of the House I will now read two or three lines from *Hansard*. They are to be found in Volume 139, page 582, and the speech to which I alluded was delivered by Mr. Cobden on the 6th of July, 1855, in the great debate that was held at that time. [MR. JOHN BRIGHT: What was the subject?] The debate was with regard to the negotiations at Vienna, and it was held on Lord John Russell leaving the Ministry at that time. I will not weary the House by reading the context, but the words to which I referred are these—

> "I look back with regret on the vote which I gave upon the Motion which changed Lord Derby's Government. I regret the result of that Motion, for it has cost the country 100 millions of treasure and between 20,000 and 30,000 good lives.

That was what was running in my head at the time I made my statement. I am sorry that the right hon. Member for Greenwich is not in his place, but perhaps some right hon. Gentleman opposite will inform him of what I have stated when he comes into the House.

SOUTH AFRICAN CONFEDERATION—ANNEXATION OF THE TRANSVAAL. QUESTION.

MR. RYLANDS asked the Under Secretary of State for the Colonies, Whether any information has been received as to the annexation of the Transvaal Republic?

MR. J. LOWTHER: Two telegrams, Sir, have been received to-day from Sir Bartle Frere, the last of which only arrived at the Colonial Office just as I was coming down to the House, so that I was unable to have it copied in time to bring it with me. The substance, however, is to the effect that it is true that British Sovereignty was proclaimed in the Transvaal State by Sir Theophilus Shepstone on the 12th of April. Arrangements had been satisfactorily made for the establishment of a provisional Administration, and it is added that the British connection has been everywhere, speaking generally, favourably received by the population.

ORDERS OF THE DAY.

THE EASTERN QUESTION—THE RESOLUTIONS (MR. GLADSTONE). ADJOURNED DEBATE. FIFTH NIGHT.

Order read, for resuming Adjourned Debate on Amendment [proposed to Question [7th May],

> "That this House finds just cause of dissatisfaction and complaint in the conduct of the Ottoman Porte with regard to the Despatch

written by the Earl of Derby on the 21st day of September 1876, and relating to the massacres in Bulgaria."—(*Mr. Gladstone.*)

And which Amendment was,

To leave out from the word "House" to the end of the Question, in order to add the words "declines to entertain any Resolutions which may embarrass Her Majesty's Government in the maintenance of peace and in the protection of British interests, without indicating any alternative line of policy,"—(*Sir Henry Wolff.*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. WADDY: Sir, if the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) had pressed all his proposed Resolutions upon the House, I should have heartily supported him upon all; but I nevertheless recognize not only the prudence, but the propriety of the course he has adopted in dropping all but the two to which our attention is now invited. The later Resolutions involved detail rather than principle; and the real principles for which we seek to contend are sufficiently developed in the first two Resolutions. The others, therefore, are, comparatively speaking, unnecessary. It was no doubt right that their Proposer should, as a personal matter, wish to bring them before this House and the country. Both here and "elsewhere" he has been repeatedly challenged to give form and definition to his policy, and he has now done so clearly and distinctly. But there are points of difficulty and doubt in the policy as so detailed as to which differences of opinion naturally exist, amongst even the right hon. Gentleman's most loyal supporters. And, when a declaration of national importance is to be made, it is right that it should be enunciated with the sanction of a Party, and, as far as possible, an united Party, and not of one man, however eminent, or even of a small section, however influential and energetic. But the tactics by which this Motion is met are, at least, remarkable. So long as all the Resolutions remained on the Paper for discussion, and indicated an alternative policy, which, if wrong, the Government might have exposed, they made no sign of attack, but tried to give the "go-by" to the discussion by moving the "Previous Question." They did not attempt by a definite Amendment, to challenge the opinion of the House on the merits of the question. But when that part of the Resolutions to which they might logically have objected had been removed, they wake into indignation, because nothing objectionable remains, and hash up suddenly an Amendment complaining of the want of that very "alternative policy" which they had previously thought it inexpedient to propound. This obvious attempt in both cases to score a merely Party triumph, regardless of the duty to speak clearly to the Empire and the world in a moment of so much excitement, and on an occasion of such deep importance, is in harmony with the undignified feebleness which asks us to provide them with a policy, because, I suppose, they are, on consideration, heartily and reasonably ashamed of the results of their own. Now, Sir, I apprehend that the questions to be considered are these—Are these Resolutions right in time, and are they right in substance? First, then, as to time; it certainly does not lie in the mouths of hon. Gentlemen opposite to find fault with us in that respect. They cannot allege that we are too soon, for they have been frequently taunting us with lethargy or cowardice in that respect. We have waited with a loyal desire that our language and acts should not entangle you in difficulties at home or abroad. On the 22nd June the Premier—then in his old place in this House—admitted that "the House has shown safe forbearance and patriotic reserve." You had to do two things—to relieve the victims of most atrocious wickedness, and to avert war on the Continent of Europe. We have waited till you have confessedly ceased to interfere on behalf of the oppressed, and we have waited till the war has actually begun. Then, are we too late? We could not fairly challenge this issue before now. You had inherited a policy which you had not made, and by which successive Governments had been guided. And while you were called to break through the traditions of generations, it would have been disloyal and unfair to hamper you or trouble you until our duty became imperious. But, now the reason for silence is gone and the time for warning has arrived, Sir, I proceed to ask whether these Resolutions

are right in their drift? I support them because they have enabled us already to obtain from the Government a declaration of their intentions, which, although far from complete or satisfactory, is, at all events, much more intelligible than anything we have hitherto had. I support them, also, because they enable us to lay down the one principle by which we mean to hold. It is this—As matters now stand we will not go to war, either in alliance with, or on behalf of Turkey. This is all that we can now do, because by the mistaken course the Government has adopted we have been reduced into a helpless position of contradiction and disquiet at home, and of vacillation and degradation abroad. We have found it impossible to ascertain the real truth amidst the conflicting statements made by Her Majesty's Ministers. For instance, on the 21st September Mr. Disraeli said—.

"Servia was beaten, exhausted, and in despair, and came to us and said—'Do what you can for us.'"

A week later, on the 28th September, the Earl of Derby said—

"I think no decisive success having been obtained on either side, both parties may fairly and honourably treat the matter as a drawn game and return to the *status quo*."

What was the nation to understand and which was it to believe? In such a perplexing condition of things it became necessary for us to inquire what were the sources of information at the command of those who reported so differently their purport. On August 11th, Mr. Disraeli in this House said the hon. and learned Gentleman the Member for the City of Oxford (Sir William Harcourt) had assumed—

"That they (the Government) never heard of these affairs until the newspapers published accounts which were brought under the notice of both Houses of Parliament. . . . The state of the facts was exactly the reverse."—[3 *Hansard*, ccxxxi. 1139.]

The hon. Gentleman the Under Secretary of State for Foreign Affairs, on the very same night, and in the same place, flatly contradicted this by saying that—

"He felt bound to admit frankly that the Government really had no idea of the events which had occurred in Bulgaria, until attention was called to them in the House; and he gladly took the opportunity of saying that the Government and the country were very much indebted to the newspaper correspondents, through whom those events had become known."—[*Ibid.*, 1117.]

The same contradiction is observable in the views taken of the Bulgarian atrocities. I need not refer only to the language used in the course of this debate by the right hon. Gentleman the Home Secretary and the noble Lord the Vice President of the Board of Education; but long before to-day many Members of the Government have characterized these misdeeds in terms of vigorous and worthy indignation. On the 11th August the Under Secretary of State says that "unprecedented acts of barbarity—atrocities—had occurred to such an extent as to justify all the indignation" of the country. The Chancellor of the Exchequer, in Yorkshire, said—

"We are not prepared to sacrifice the interests of those whose sufferings have so excited our feelings."

On the 3rd October, Lord Carnarvon—

"Felt it the duty of any Member of the Government to express his utter horror and detestation of the abomination," and he claims "punishment for the offenders in these iniquities."

And yet, at the same time, the hon. Member for Mid Lincolnshire charged those whose indignation was thus justified, with "criminal recklessness," and Lord Derby spoke slightingly of the "mischief of got-up meetings." There is, however, a more striking and more mischievous instance of this. On the 16th September Mr. Baring's Report had been received; on the 19th September it was in *The London Gazette;* and on the 21st September Lord Derby's firm despatch was sent, in which he spoke of the "just indignation" of England, and charged that the wicked "acts continue and the Porte is powerless or supine;" and yet on the 20th September, fresh, most probably, from the very Cabinet Council in which that despatch had been read and approved, the Prime Minister spoke at Aylesbury—pooh-poohed the whole agitation, inveighed against those who took part in it, and charged them with out-Heroding Herod!! It was just from that time that there seemed to have begun a fresh departure in the *laches* of the Government. They found their popularity decreased and decreasing. The Premier himself on that occasion admitted it in these words—

"Gentlemen, under ordinary circumstances, a British Minister, whatever might be his difficulties, would have the consolation of knowing

that he was backed by the country. It would be affectation for me to pretend that this is the position of Her Majesty's Government at this moment."

Then what was to be done? What was shortly the problem the Government had to solve? It was this—Turkey had, by the grossest misgovernment, tyranny, and wickedness, driven certain Provinces into revolt. They had secured the support of certain neighbouring States, chiefly allied by race and religion. Europe, and we ourselves, had protested in vain against her crimes. She became worse instead of better. Hastening to decay, she devoted her failing strength to obstinate cruelty. This festering sore was the plague-spot of Europe, and Russia was in chief danger; but no advice or warning was of any avail. "We looked for judgment, but behold oppression; for righteousness, and behold a cry." At last the climax came of those terrible atrocities in Bulgaria, and then one mighty voice rang through the land and roused it to indignant wrath. What did you do? You could not follow where that voice bade you, because it was the voice of the right hon. Gentleman the Member for Greenwich. If the Front bench had had wisdom and nobility enough to do it, their Followers were too numerous and strong and obstinate for them. So they tried to find some rallying cry, some counter-cry, which might change their national cause. And somebody hit on "British interests." It became at once the watchword in the mouths of people who did not really know what they meant by it; and here we have it once more in the Amendment of the hon. Member for Christchurch (Sir H. Drummond Wolff), and twice in that of the noble Lord the Member for Haddingtonshire (Lord Elcho). We do not yield to hon. Members on the other side of the House in our anxiety to support British interests; but we believed our best interests were to localize the evil, and to join to repress it with others who are like-minded with us. We believe it to be to our interest to preserve the credit of the British name, and we believe with Lord Derby that "no political consideration would justify the toleration of such acts." We think it is a pity that his acts lately have not been worthy of that noble declaration. You have found a political consideration which does justify the toleration of these acts, and more still, which, while it exacts no punishment on these offenders, justifies the ill-treatment of a friendly Power, which in this case, at all events, has acted honestly, openly, and fairly with us. Russia took us fairly into her councils; she gave us diplomatic pledges in the face of the world. Her Sovereign pledged his own personal honour. The man who had just before been your welcome guest, on whom you had conferred the freedom of your capital, whose daughter had married one of your Princes, and whose conduct had been approved by your own special Ambassador, is threatened with a thinly-veiled insolence by your Prime Minister at a Guildhall banquet. Even then he yields point after point, till his enemies charge him with weakness or cowardice, because they will not give him credit for moderation. He shows such unwillingness to launch into the fray that he is suspected of not being competent to fight the weakest European Power, though just before he had been charged with seriously intending to atack India. And at last, when he has asked what we admit to be right, and minimizes his demands to the very lowest point, we insult him, because he will not brook the obstinate insolence to which we have chosen to submit. We keep him as an ally, treat him as a friend, and grasp his hand in amity, till we suddenly disengage our grasp to smite him in the face. The result is that it will be almost impossible to keep out of war now. We might have done so if we had acted up to our professions, and righteously claimed from Turkey the punishment of evil. But now it is too late. The war has begun, and it is impossible to say how soon we may be involved in it. I do not at all undervalue the speech of the right hon. Gentleman the Home Secretary, or the limitations to vague British interests which he has given us. But we must go further still. It is quite possible for us to keep well within the lines indicated in that speech, and yet to find ourselves at war within a few months. Indeed, it is almost certain that we shall be so involved. Take one illustration. We are told that the seizure of Constantinople by Russia would be an interference with an interest, and no doubt that is true; but it does not follow that we should be entitled to complain, much less that we

should resort to arms. By what right can we pretend to stop a victorious army and prevent it from seizing the prize for which it has fought—or to regulate and define the necessities and course of military operations. How can we claim to prevent the Russians seizing Constantinople in this war any more than we could interpose to bar the Germans from occupying Paris a year or two ago? Paris is much more on the road to India than Constantinople is. Even if it were not so, we could not interfere. In fact, the various interests of our nation are so numerous and wide, that there will be hourly peril of some misunderstanding arising, or some injury being done; and if we were to take any part in the quarrel at all, we should have done so while there was yet time to prevent war. It is now too late. The course of events has rendered it impossible for us now to take the line which would have been successful, if taken in time; and, therefore, I say that the mistaken policy of the Government has infinitely increased the danger of war. This debate has already done great good. It has calmed the anxiety of the public, and it has rendered it more difficult for the Government to commit us to a war policy. But we must still more earnestly proclaim the doctrine which is the principle of these Resolutions. We must make it clear that no inducement shall lead us to sanction a war with Russia on this present quarrel. If such a war does arise, if our soldiers are sent to mix their blood with that of the Bashi Bazouks who perpetrated the outrages at Batak—if our English officers are sent to associate with Shefket Pasha and his infamous colleagues, we will reserve to ourselves the power to say to the country and to posterity, that the alliance was not of our making or by our consent—*Non hæc in fœdera veni.* By all the opposition we can offer to it, we will, if possible, prevent the war which you, alas, have made only too probable, and will endeavour thus to secure and preserve the safety, honour, and welfare of our Sovereign and of her dominions.

MR. BRUCE said, the position of Turkey had been described as impotent, but what was that of Europe? Her Majesty's Government had failed to secure European peace and good government in Turkey, and all Europe, which ostensibly wished for the same thing, had also failed. Why was that? The answer was not found in Blue Books, nor in the decorous language of diplomacy; but the fact was, that we were now in the presence of a war which every nation wished to avoid; and this was caused by the condition of Western Europe, which prevented any kind of united action amongst the Great Powers of the Continent. That was a thing known to the whole world, and as an example they had not to go further back than a week or two, when the first soldier in Germany, Von Moltke, in a speech to the German Parliament, had thought it necessary to recommend an addition to the enormous military burdens of his country on account of the proceedings of the French. Her Majesty's Government had done all that was possible to obtain an effective European concert, but their efforts had been neutralized by the fact that the concert was only skin deep. The Germans and French had interests of their own to attend to, and that prevented either acting freely in Eastern matters. There was no doubt Turkey would have been brought to her senses, if Europe had been united; but the Turks were as well aware of the disunion as we were. That was the reason of the failure of Her Majesty's Government to secure European concert. Under these circumstances there had been only one European Power tolerably free to act, and that was Russia. She had only one other Power to deal with—namely, England. Why was it that we had not been favoured with accounts of Lord Salisbury's interviews with Prince Bismarck and the Duc Decazes? We had read the account of the noble Lord's interviews with the statesmen of all the other Powers, and as the interviews with Prince Bismarck and the Duc Decazes had been omitted, the fair inference was that the conversation had revealed such a condition of things with regard to the relations of Western Europe that, though it might be confidentially communicated to the noble Lord, it could not be laid before the House. Under those circumstances, the long diplomatic campaign which was undertaken with reference to the Eastern Question had been conducted under conditions which made success almost impossible. He did not blame Her Majesty's Government, for they had had before them the tremendous respon-

sibility which must be incurred by any Government of this country which plunged into war a nation having such an enormous industrial superstructure resting on a basis of peace. They could not, therefore, deal with the Eastern Question with the freedom of one of the armed nations of the Continent. Having to deal with the traditional Russian policy of dismembering Turkey, their efforts had been paralyzed by the fact that they could not encounter them like one of the great armed Powers. It would hardly have been possible for any Government, throughout the course of such protracted negotiations, to pursue invariably the right course. At the same time, he thought there had been a great deal too much scolding addressed to Turkey, and too little persuasion and encouragement to follow the best policy. Now, something might sometimes be done by persuasion and something by threatening; but you would not induce people to do what you wanted by scolding. It had been said that we ought to have threatened war, though not to have made it; but he did not know where the Government could have found a diplomatist to carry out such a policy. We had no Representative with the talent possessed by some foreign officials for dazzling those with whom they came in contact, while concealing their own views, and the discussions of this House would have revealed the meaning of such a policy, even if an English Government could be found to adopt it. He, however, did not believe that policy would advance the interests of the country. With the settled determination of this country not to be involved in war, it would not have been honest for us to have adopted a threatening policy. He thought, however, more judgment might have been shown in our conduct at the Conference. He thought there had been a great deal too much identification of ourselves with Russia, to induce the Turkish Government to support the views which we advocated. Moreover, when the Conference met, the Emperor of Russia by his Moscow speech had in effect made a declaration of war, and had followed that declaration by mobilizing his army and by actually organizing a set of civil officers, some among the vilest instruments of her tyranny in Poland, to undertake the civil government of certain of the Turkish Provinces. When at last the Conference met and propositions had been made and gradually minimized, they had always contained the one point to which the Turkish Government had objected from the first, and in addition they had never contained any condition relieving them from the fear which they entertained of the presence of the Russian Army. Even when the Russian Government had accepted the Protocol, of which they had heard so much, they had accompanied it by a declaration which was tantamount to a declaration of war against Turkey, and an insult to Europe. Of course Russia had acted ostensibly on the most philanthropic principles, and had manifested a remarkable desire for autonomy in the Turkish Provinces; but he did not discover any autonomy in their own territory, seeing that not later than Saturday he read a telegram from Berlin stating that Russia had taken this opportunity to abolish all municipal institutions in the Baltic Provinces, and to put them under the direct control of the Minister of the Interior. He had not much faith in that peculiar species of charity which not only did not begin at home, but it did not even end there. Notwithstanding that several mistakes might have been committed by Her Majesty's Government, yet he thought that, on the whole, the course they had adopted had been as satisfactory as, in the circumstances of Europe, could have been hoped for. In the altered relations of States they had had to contend with difficulties which did not exist in the condition of Europe when this question had to be dealt with some years ago. He felt the greatest horror for the atrocities that had been committed; but it might not have inspired him with so much astonishment as it had others, from his knowledge of the country; and he could only express his regret that previous Governments, knowing the condition of the country, had not employed the powerful influence of England after the Crimean War to urge reforms in Turkey, as they might have done. There was considerable reforming power in Turkey, with a considerable desire for reform; and it was with regret that during all those years he had never found that the English Government had really exercised its influence in support of that desire for

reform; and that, whenever it was exercised, Russia had always tried to discourage it. With regard to what had been said by the right hon. Gentleman the Member for Greenwich as to our Ambassador at Constantinople, he (Mr. Bruce) believed that so far from palliating Turkish abuses Mr. Layard was as hostile to them as the right hon. Gentleman himself. He might add that Lord Stratford de Redcliffe, to whose strength of will and energy the right hon. Gentleman had paid so high a compliment, effected many reforms in Turkey. He was not an enemy of Turkey, but an enemy of Russia; and the secret of his influence in the East was not only his great intellectual power and his great strength of will, and his determination that Turkey should carry out reforms, but he was able to say to the Turks that if they did not make such and such reforms, he would force them upon them; while, if they did, he would prevent any one from doing them any harm. The case, however, was very different now, and when it was known to the Turks that the relations of the various States of Europe were such as to render it impossible for them to act together in enforcing their views, and that we should give them no support or protection, our diplomacy was not unnaturally doomed to disappointment. It was owing to that knowledge that they took up that obstinate tone, which, in his opinion, was the reverse of wise. But it was asked why should we not enter into an alliance with Germany? and the hon. Member for Liskeard (Mr. Courtney) had spoken of an agreement with Prince Bismarck. Prince Bismarck, however, had never shown the slightest disposition to enter into any agreement of the kind suggested, and if any hon. Gentleman could tell the House what it was that statesman really meant he would be giving it an amount of information which the debate had failed to afford. The difficulties of coercion were very great in the present relations of European States, and as to our joining Russia, he did not think that the interference of that Power was very popular in the disturbed Provinces themselves. It would be most unfortunate in the present state of circumstances in Europe if the English Government were to form any alliance with any one Power that might lead to complications with others. Indeed, no greater danger could be incurred. As to the present condition of affairs, he could only say that the Government of Turkey had thought proper to take a course opposite to that advised by Her Majesty's Government, and by that they must stand or fall. The English interests involved in the question had been very satisfactorily defined by his right hon. Friend the Secretary for the Home Department and by the right hon. Gentleman the Member for the City of London (Mr. Goschen), and upon that point it would, after their speeches, be out of place for him to say more, except that they must be maintained. The heart of the English nation would go in support of its honour and its interests, and be ready to support its position if attacked by any Power. It would, at the same time, be their duty to endeavour as far as possible to minimize the discord, to localize the war, and to exercise their influence to the best of their power in adjusting the conditions of peace and obtaining good government for those disturbed Provinces. With these great objects in view, he should be sorry to see Her Majesty's Government hampered by any abstract Resolutions, and he sincerely hoped that, as the Government had undertaken these great duties, it would have the unanimous support of the English people in its endeavours to carry them out. Everybody might rest assured that on whichever side the influence of England was exerted it would be in the interests of justice and humanity, and in a far greater degree than it would be exercised by Russia or any other Power.

SIR WILLIAM HARCOURT said, he had heard, and he believed both sides of the House had heard, with great satisfaction the moderate speech of the hon. Member who had just sat down. Whatever might be thought of all these Resolutions and all those despatches he believed also that both sides of the House and the country at large had reason to be glad that this debate had taken place. We were beginning to understand better where we were. It was inevitable that there should have been a good deal of Party feeling in the matter, but the course of the debate had been satisfactory. They had taken a new departure since the admirable speech of the Home Secretary had been delivered.

Everybody had felt that. That speech had removed a good many fears which had existed on the Opposition side of the House, and he hoped he might say it had not dashed on the other side a good many hopes. The downright Saxon in which the Home Secretary addressed the House was a great relief after the vague mystifications which before had spread disquietude and alarm throughout the country. Whether hon. Members agreed with the Home Secretary or not, they, at all events, knew what he meant. What had the Home Secretary told us? The right hon. Gentleman had told us that he hated those miscreant deeds as much as any on the other side did. As to the conduct of the Turks, he did not in any way seek to palliate or minimize it. He had nothing to say for it. He had told us that their conduct in that matter and with respect to the Protocol was blind, foolish, and mad; that they were suffering for it and ought to suffer; and that he would in no way interfere between them and Russia in order to prevent their suffering. In that the Opposition agreed with him. The right hon. Gentleman left Turkey, so far as Russia was concerned, to her fate. The Home Secretary also alluded to British interests, and those interests no longer lay in the Channel like torpedoes, so that no one could tell where they were or where they might explode. The Home Secretary had buoyed them, and now they knew, as Europe knew, where they were and how they were to be avoided. The speech of the Home Secretary had re-assured the House and the country, and the confidence so inspired had not been shaken even by the somewhat pro-Turkish speech of the Under Secretary of State for Foreign Affairs (Mr. Bourke). The declaration made by the Home Secretary alone was a sufficient justification of the debate, and whatever division might be taken, the speech was one in favour of the second Resolution. It might be said—"Oh, you knew, or ought to have known before, what you say you have learnt by this debate." No, that could not have been known before, and was not known even on the other side. Speeches had been heard in that debate which were full of ire and fury against Russia. The hon. Gentleman the Member for Mid-Lincolnshire (Mr. Chaplin) called upon Her Majesty's Government to make preparations for war. But preparations against whom? And why make preparations, if we were not going to war? Then, outside, we had an inflammatory Ministerial Press, where every morning and evening appeared the most mischievous and dangerous stuff, which, unjustly or justly—and many hoped unjustly—was attributed in this country in some form or other to Ministerial inspiration. But the speech of the Home Secretary had assured us that the Government repudiated all that stuff, and that declaration had not been made an hour too soon. The declaration of the Home Secretary had been accepted with satisfaction by the House and the country, so far as it went. It amounted to this—that, except from the specific contingencies to which he had referred, this country would not interfere in the quarrel between Russia and the Turks. So far so good. It might have been a good deal worse. But then came the practical question—did this policy of strict neutrality leave us or Europe in a satisfactory position? For his own part, he (Sir William Harcourt) did not think it did. It left Turkey at the mercy of Russia. Now, nobody, even hon. Gentlemen opposite, could doubt what was ultimately going to happen. Russia would destroy Turkey. But, outside the limits of the Home Secretary's declaration, what did that mean? It meant that Russia would deal with Bulgaria, Bosnia, Herzegovina, Albania, Epirus, Thessaly, Salonica, Asia Minor; and in the catalogue of British interests given by the Home Secretary there was no mention of Asia Minor. When next they came to make a settlement of this question they would have to do so with an enormous and a successful Power. Russia might be moderate. He hoped and believed she would; but, even if so, what would be the consequence? Russia would establish a dominant influence in the East of Europe which England might have shared. But Russia might not be moderate, and then what would happen? Why, then we should have to rescue British interests out of the jaws of the victor. That was a situation full of peril and pregnant with war. Might they not have avoided it? The Home Secretary had asked—"What would you have done?" The Home Secretary had dealt frankly with the Opposition, and he ought to be dealt with frankly in re-

[*Fifth Night.*]

turn. The right hon. Gentleman put the question straight—"Will you join Russia in the war now against Turkey?" Now he (Sir William Harcourt) would give the answer first, and the explanation next. He would answer, in the monosyllable in which an answer had been invited—"No." But there was a time when he would have joined the other Powers, including Russia, in coercing Turkey, and that was before the commencement of this war, before the separate negotiations commenced. He believed if the Government had taken that course then, they would have averted the danger of a future European war which now greatly menaced us. He believed that if, in conjunction with Europe, England had joined Russia, we should then have done what it was of the greatest importance that we should do—we could have put Russia under conditions and terms with respect to the nature of the force used and the limits of the coercion to be employed; and in that manner might by anticipation, before the struggle commenced, have taken care that British interests should not be infringed. They now found themselves in a very different position. Then Russia would have been in a minority; now she was in a majority of one in the management of the affair. It was because of the weakness of our Government in not having taken that step—unquestionably a bold, but a true course—that he condemned the policy they had pursued. But the Under Secretary of State for Foreign Affairs took objection *in limine*, saying we could not have done that, because Europe would not have joined us in a policy of coercion. If that was true, it was a vital objection; but was it true? It could be disproved out of the mouth of the hon. Gentleman himself in the speech he made the other evening. The Under Secretary of State explained why the Government rejected the Berlin Memorandum—namely, because it meant coercion and intended the dismemberment of Turkey and nothing else. But who were the parties to the Memorandum? They were the Five Powers; and if these Five Powers meant coercion, and nothing else, as the Under Secretary said, why did the Under Secretary tell us that they would never have joined in coercion, seeing that had we agreed to it, they would have joined us in it? According to the Under Secretary of State himself, the Berlin Memorandum meant coercion, and the Government refused it, because it meant coercion. But the Secretary of State for War took the matter up in a higher tone, and said—"Whatever Europe might have done, we could not have joined in coercion, because we had no commission from Heaven." That was the augument of the Secretary of State for War. He always cited Providence on the side of the Treasury Bench, and hurled anathemas at the Opposition, treating hon. Members on that side as if they were Hivites and Hittites, and as if he were administering a sort of Jewish theocracy. When he heard the glowing eloquence of the Secretary of State for War, which they all heard with so much pleasure, it occurred to him that he was impressed with the theory which the Prime Minister once said pervaded the works of, and was entertained by a modern historian—namely, that Providence was, on the whole, on the side of the Tories. [*Laughter.*] Well, he did not wish to go into that line of argument, being for terrestrial justice and a more mundane policy. He should like to put it to the Secretary of State for War what was the condition in which the Government might have interfered in the affairs of Turkey for the benefit of the oppressed Provinces? It was the same condition under which we interfered for the emancipation of Greece. That was one of the brightest and most successful acts of diplomacy that Europe ever accomplished, and it was done under the glorious initiative of England. Why could not that policy have been repeated? The Under Secretary of State fell into a remarkable error in his account of that policy. The Memorandum of the Treaty said that it was undertaken for several causes — on account of the unity of Europe, and for the purpose of restoring tranquillity; and even Conservative statesmen were not ashamed to avow that they were acting in the affairs of Europe in the same humanity, which, indeed, was placed in the fore front of that celebrated Treaty. Well, but the Under Secretary of State said that Mr. Canning never contemplated force in the matter. The hon. Gentleman never could have heard of the additional Article of that Treaty, of the Instructions given in London on the 12th of July to the

Ambassador at Constantinople and the Admiral of the British Fleet. All these things contemplated an ulterior resort to force in case the remonstrances did not succeed. Lord Dudley, the Foreign Secretary of Mr. Canning, and also of Lord Goderich, had given an account, which exactly described the kind of coercion he (Sir William Harcourt) had always advocated. He said—

"What the Treaty provides is that in case of the failure of remonstrances, and of an armistice established by the naval force, the Allies shall consider ulterior measures;"

—just the words of the Berlin Memorandum—

"It does not necessarily lead to hostilities. We should first exhaust every means except war, and even if war were necessary choose the hostile steps bearing most directly on our object, and least calculated to abate the general tranquillity."

That was the policy of the Treaty of 1827, and the kind of coercion that ought to have been resorted to in the present crisis. The Government ought now to have used remonstrances first, and then that limited coercion which was necessary to accomplish the object they sought. It was said that force was not employed on the occasion he had mentioned; but they would remember that the ports of Greece were blockaded. He knew it was said that the Duke of Wellington objected to the separate war which Russia then waged. But all the force used by the Allies failed to overcome the obstinacy of the Turks, and nothing but the Russian invasion brought them to reason. England did not object to that invasion, for she carried on joint operations with Russia in the Conferences that were held in the course of the campaign throughout the years 1828 and 1829; and what was the conduct of Russia after the great conquest of Adrianople? She loyally agreed at once to the conclusions at which the Conference arrived and departed from the city, taking nothing from Europe, and only a few insignificant places in Asia; but leaving behind her as the monument of her great victories the charter of the liberties of Moldavia and Wallachia. If this year or the next she should so act, and leave to Bulgaria the same liberty she had then left to Wallachia and Moldavia, he for one should devoutly wish her success. The slight historical sketch which he had given showed clearly the advantage of antecedent co-operation. They had then agreed to co-operate with Russia, by force, if necessary, and they had co-operated; but it would not be possible for England now to go to Russia and put upon her conditions similar to those by which she was bound at the time of the Treaty of Paris, which followed upon the victories which culminated in the capture of Adrianople. There was an Article in the Treaty that none of the Powers should seek any advantage from those operations. The Government might now have had the same opportunity. They might have had to claim to bind Russia as the price of their co-operation. Could they now, if Russia succeeded, go to her with the same confidence and say—"Give us those terms which you offered if we would co-operate." The more they suspected Russia the more they were to be condemned for having taunted Russia into going to war without having placed her under any terms whatever. It was said that the Government were restrained by Treaties. He had not been able to understand what was their view of the Treaties; but, so far as he understood the speech of the Home Secretary, the right hon. Gentleman held that England was bound by Treaty not to support Turkey. This was not his reading of the existing Treaty obligations of England; but he was content with the interpretation put upon the facts. These were the reasons why, before the war, he would have joined Russia in action against Turkey, accompanied by coercion and force, limited to the objects and confined and restrained sufficiently to accomplish those objects. They ought to have had the courage shown by Canning and Wellington. They objected to the coercion of Turkey, yet the coercion was taking place at that moment, and the consequences of their policy was to have left the coercion of Turkey to the single hand of Russia; and that was the very last Power in whose hands they ought to have left it. What was to be done? He could not go the whole length of his hon. Friend the Member for Liskeard; they could not now impose terms on Russia. They could have done so at one time. He would have been willing to have gone with Russia in a "limited" partnership, but he could not go into an adventure of "unlimited" lia-

bility. They were going to relieve the European Provinces; but what policy would they adopt for the relief of the Provinces of Asia Minor? One of the great advantages they might have had before the war would have been that Asia Minor would have been excluded from the field of hostilities. They had lost that great opportunity. Then they were driven to a line of neutrality which he did not think the best; but it was the only one they could now adopt, and it was the only one that the House and the country approved. But it should be a real, genuine, impartial neutrality; they did not want a hostile neutrality like that of his right hon. and fervid Friend the Member for Tamworth (Sir Robert Peel), who the other evening shouted for neutrality in a voice which sounded as though he was proclaiming war. His right hon. Friend played the part of the "meek-eyed dove of peace," but he did it with the air of Bellona herself. With regard to Lord Derby's despatch to Prince Gortchakoff, a more offensive piece of neutrality he had never heard of. Why was it written? It was replied—"Because it was indispensable; if they did not put in a disclaimer they would be admitting that Russia was executing the mandates of Europe." This was a dangerous argument to use, inasmuch as no other European Power had issued such disclaimer, and Russia might claim that in the course she was pursuing she was executing the mandates of Europe. [*Cries of* "No!" *from the Ministerial benches.*] But, surely, if the silence of England would have given consent to the action of Russia, the silence of the other European Powers must have a similar effect. All this meant that upon this, as upon every other occasion, the Government had isolated themselves from the action of every Power in Europe, saying in effect that England would have neither Allies nor co-operators; and instead of taking the prudent and dignified course which had been taken by Germany, Austria, France, and Italy, Her Majesty's Government had hurled at the head of Russia this insulting despatch. When the war was over and Turkey was destroyed—as he hoped she might be—England would have to settle the affairs of Eastern Europe in concert with the Five Powers, and he would ask in view of this whether the despatch of Lord Derby could be regarded as a wise or statesmanlike preparation for the negotiations which would have to be conducted? At all events, the four wise virgins who sent no answer to Russia would be in some position to deal with Russia when the proper time came. When the time came that some arrangement had to be made with regard to Eastern Europe, we should find ourselves the only Power that had taken the attitude we had assumed. All this, no doubt, was much to be regretted, and had it been brought about by any one else than the Foreign Secretary it would have been a very dangerous policy to pursue. There was, however, one very amiable and very pleasing quality about Lord Derby's despatches which neutralized and redeemed them from what otherwise might have seemed to be an imprudence. The despatch of the 21st September, no doubt, was a very fierce and awkward despatch, but then he was kinde nough to let the Turks know that he did not mean anything, and the result was that they took no notice of it, and were not in any way disturbed by it; and perhaps Prince Gortchakoff, when he learned that the despatch of the 1st of May meant strict neutrality, would treat that document with about as much regard as the Turks had shown to its predecessor. One word before he sat down as to the Resolutions of the right hon. Gentleman the Member for Greenwich. He thought there was a general concurrence as to the second Resolution. ["No, no!"] He took it they were all agreed that this country was not to help Turkey. He had not heard it said in the course of the debate that we should render Turkey any assistance. As far as he understood the Amendment moved on the other side of the House it was directed against the first Resolution, which related to the condition of the Christian Provinces in Turkey. The Amendment of the hon. Member for Christchurch (Sir H. Drummond Wolff), which the Government intended should displace the first Resolution, must be accepted as a condensed statement of the policy of Her Majesty's Government, and from it it appeared that they desired peace; they desired that British interests should be protected; but it did not appear from it that they desired the better government of the oppressed Provinces. If peace were to be restored to-morrow, there

was nothing to show that Her Majesty's Government would not be willing to allow the state of things that existed in those Provinces to be perpetuated. It was necessary to note the errors of the past, and their consequences, even if it were too late to repair them. But what most occupied their minds were the perils and prospects of the future. He hoped, therefore, that hon. Members opposite would do him and those around him the justice of believing that they were equally anxious with themselves for the protection of British interests; but they stood there to declare that British interests could not, must not, and should not be protected by upholding Turkey. Her Majesty's Government might defend Constantinople if they pleased, but they must not and should not enter into a war in support of Turkey. If the statesmanship of Her Majesty's Government was worthy of the reputation and sentiments of this great nation, they could find some other means of defending British interests which would reconcile them with the dictates of justice and with the demands of civilization. They could not defend those interests through the odious and execrable dominion of Turkey; that was a policy which was worn out, and which was condemned and discarded by the nations of Europe and by the conscience of the English people. He agreed with the right hon. Member for Greenwich that the knell of the Turkish Empire had sounded. For his own part he (Sir William Harcourt) had longed to hear that passing bell, and he rejoiced to see the day approaching when better hopes were dawning for the unfortunate inhabitants of those oppressed districts; and his only regret was, that we had forfeited the right which we might have used of taking a considerable share in that glorious enterprize. We should, however, still have an opportunity of taking a part in the settlement of Eastern Europe, and when that settlement occurred we could not disregard those great principles of nationality which for the last 10 or 20 years had been re-constituting Europe. He ventured to hope that whichever Party in the State might then be conducting the destinies of this country, England, under their guidance, would play a part worthy of that freedom which she had achieved for herself, and of that responsibility to mankind which her greatness imposed upon her.

SIR TOLLEMACHE SINCLAIR: Sir,—Previous speakers on both sides have erroneously assumed that the defence of Turkey against Russia has been the traditional policy of England. Even if this was the case, it would not be a sufficient reason for adhering to that course if it is shown, as it has been, to have been useless and wrong, more especially under the totally different circumstances of the present crisis. I propose to prove that the very contrary is the fact. During nearly 200 years, from 1686 to 1877, there have been 10 wars between Russia and Turkey. All of these, with one exception, and the Crimean War, have ended most disastrously for Turkey. In the whole of that period England has only fought once for Turkey against Russia, and the end of that contest was, that Russia merely ceded a small portion of territory at the mouth of the Danube, and limited her maritime Force in the Black Sea. England then made no demand that Russia should refund to Turkey or ourselves the cost of that war, on the principle so successfully applied by Germany to France; and in 1806 we not only did not support Turkey against Russia, but we actually took the side of Russia against Turkey. On that occasion Turkey treacherously turned against us at the most critical moment of our terrific conflict with Napoleon, after we had rescued Syria and Egypt gratuitously for them from the French, and we then forced the Dardanelles, and demanded that the Principalities of Moldavia and Wallachia should be ceded to Russia, these being the very Provinces for which we fought in the Crimean War. Therefore, while the assistance we gave to Turkey was comparatively trivial, in the campaign which we fought with Russia we endeavoured to render her most signal benefit. In 1774, Austria deprived Turkey of the Bukowina. The Treaty of Kainardji, in 1774, it is quite evident, gave Russia the right of protecting the Christians in Turkey. It is not usual to put Articles in Treaties which have no meaning. If these Articles were intended to have no meaning, why were they inserted? But there is further evidence of this, for Lord John Russell, in a despatch to Sir Hamilton Seymour, in 1853, said—

"The protection of the Christians of Turkey by Russia was no doubt prescribed by duty and sanctioned by Treaty,"

and the Plenipotentiaries at Vienna of four Powers said it was necessary to abolish the exclusive Protectorate which, for 180 years, had been exercised by Russia, so that, even if Russia's Treaty-right was insufficient, as 40 years' prescription suffices in England, 180 years should be adequate for Russia. I can hardly state a higher authority than that for this assertion, for Lord John Russell was then the Foreign Secretary, and England was responsible for any admissions he had made. In the year 1787, England first entered into negotiations on behalf of Turkey; but they were mere verbal representations, and never went so far as a threat, much less of recourse to arms. At the Treaty of Peace, also, we strongly urged Turkey to give way to Russia. I have already alluded to what took place in 1806, and will not repeat it. In 1812 the whole of Bessarabia was ceded to Russia, and we, who made such a point of preserving the independence of the Turkish Empire, never even interfered to prevent that cession. In 1826 the Treaty of Akerman was signed, and the Sultan had the baseness to send a Circular to Europe, stating that when he signed the Treaty he had not the slightest intention of being bound by it. This was an illustration of the perfidy of the Turk, which reminds me of a story of Mirabeau's brother, who said of himself—"I swore, indeed, but I did not promise to keep my word;" and on another occasion—"In any other family than my own I would be considered a rogue, but a clever fellow; in my own I pass for an honest man, but a dunce;" and again he said—"*Je suis payé mais non vendu.*" In 1827, at the battle of Navarino, we displayed anxiety for the integrity and independence of the Turkish Empire by destroying the Turkish Fleet and placing the Black Sea at the mercy of Russia. That is precisely the way in which I would be prepared to protect those interests now. The other day the hon. Member for the Isle of Wight (Mr. Baillie Cochrane) quoted passages from the Duke of Wellington's despatches, which he had found in the last number of *The Edinburgh Review*, but was very careful not to quote the Duke's latest despatches. In the great Duke's latest expression of opinion on the Eastern Question he had said—

"It would be absurd to think of bolstering up the Turkish power in Europe. It is gone, in fact. We must reconstruct the Greek Empire There is no doubt it would have been better for the world if the Treaty of Adrianople had not been signed, if the Russians had entered Constantinople, and if the Turkish Empire had been dissolved."

After that, I hope no one will get up in this House and say that the Duke of Wellington was to the last in favour of the independence and integrity of the Ottoman Empire. It is sometimes said that it was impossible for the Russians to take Constantinople; but in 1829 the Duke of Wellington himself had said there had been nothing in the world to prevent the Russians from taking Constantinople, and the Prussian Envoy had said the same, because Diebitsch, at Adrianople, was nearer to the Dardanelles than to Constantinople. No Power could have prevented the capture of the Turkish capital at that time, and it must be said that Russia gave then a signal proof of moderation. Therefore, we ought to trust Russia again if, for strategical reasons, in the present war she finds it necessary to threaten or to capture Constantinople. My own opinion is, that the Russians will be compelled to enter Constantinople. The French, equally with ourselves, are great sticklers for the independence and integrity of the Ottoman Empire; but in Algeria, in 1830, they forgot this principle, and when the Sultan demanded of France the tribute he had been accustomed to receive from the Dey, the French Government, of course, laughed at the demand. In 1833 the British Government refused succour to Turkey when Ibrahim Pasha arrived within 80 leagues of Constantinople. There was no valid excuse at that time for refusing our help, if our policy had been the defence of the integrity and independence of Turkey, for we were at that time free from complications at home and abroad, and nothing would have been simpler, if we had thought proper, than to succour the Turks. In their extremity they appealed to Russia for assistance, and Russia sent a small fleet and army, took possession of Constantinople, and held the city for the Turks against Ibrahim Pasha. I have spoken to a large number of hon. Members of this House, and

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have not met with one who had ever heard that in 1833 Constantinople was in the hands of the Russians. Ibrahim Pasha was obliged to give in and make terms, and then Russia retired most honourably from Constantinople, and neither asked, nor received an adequate equivalent for the vital service she had rendered. Now, as I have said, I contemplate the possibility and the probability that, in the course of this war, Russia will be compelled to take Constantinople. It is all very well to say—"Strike at the extremities," but the sure way to success is to strike at the heart. That was how the German Government got the better of the French, and, if the Russians were well advised, they would take the same course, and march straight to Constantinople; and if she should do so, I am quite sure that on the side of the House from which I am speaking, they would be disposed to trust Russia. There was no hon. Member of the House, surely, who would dare to set his judgment against that of the Duke of Wellington in such a matter as this. As, in 1833, Russia had given signal proof of good faith with respect to the possession of Constantinople, it would be highly culpable for England to go to war with her with the view of preventing her from taking temporary possession of that city. In 1839 Mehemet Ali revolted. At that time the French were burning to revenge Waterloo, and our Regular Forces were under 100,000 men, of whom three-fourths were in Ireland or in the Colonies, and not more than 25,000 men and 40 guns could have been collected to defend our shores against the 300,000 men and 300 guns which the French could have brought against us, whilst we had only three ships of-the-line and three frigates to guard the coast of the Channel against the French naval force, and we had only nine line-of-battle ships in the Mediterranean against 15 French sail-of-the-line of much heavier weight of metal and more numerous crews than ours, supported by five Egyptian sail-of-the-line. Yet in 1840 we risked a defeat, and even our national existence, to prevent the ungrateful Turks from being regenerated by the more enlightened government of Mehemet Ali; and Russia, instead of joining France and Egypt against us, which would almost have insured our defeat, and instead of then securing Constantinople, as she might have done, by arrangement with France and Egypt, joined with us in maintaining, by force of arms, the integrity of that Ottoman Empire which she is persistently accused of wishing to appropriate. In 1853, the mixed Commission decided in favour of the claims made by Russia as to the possession of the Holy Places by the Greek Church, to the unbounded irritation of the Latins, and especially the French, who had obtained a Firman by threats, on the pretext of an obsolete Treaty 100 years old, contrary to the recent Firmans between Russia and the Porte. Prince Menschikoff then sent in an ultimatum to the Sultan, in which he demanded that in the Ottoman Dominions the Greeks should have precisely the same privileges as the Latins, and that these privileges should be made perpetual and irrevocable. As the Sultan refused these just, necessary, and moderate terms, the Russians occupied the Principalities as a material guarantee. A Conference was then held at Vienna, at which the four great Powers were represented, and on the 31st July, 1853, a Note was prepared by the Plenipotentiaries, which was immediately accepted by Russia, without the slightest alteration, and which embodied the very principle for which she had all along contended—namely, equality between the Greeks and Latins, and permanence of those privileges which the Turks had been in the habit of alternately giving and withdrawing. The Porte insisted on important alterations, which would have left the oppressed Christians at their mercy; but these were instantly declined by Russia, and then the four Powers most inconsistently and unjustly sided with Turkey and against Russia, whilst they were obviously bound in honour to adhere to that Note, and at first they expressed disappointment and dissatisfaction at the conduct of the Porte. The Turks then declared war, and commenced hostilities by firing on a Russian flotilla. The Russians then, in their turn, subsequently sent a declaration of hostilities, and then the English and French Fleets entered the Dardanelles, and instead of settling themselves the terms of peace, obsequiously asked the Porte what their terms should be. The Porte demanded (1) Evacuation of the Principalities; (2) Revision of the Treaties; (3) Maintenance of religious

privileges of communities of all confessions; (4) Definitive settlement of Convention respecting the Holy Places; and we most absurdly approved of these terms, instead of insisting that the evacuation alone should suffice. In November, 1853, the Russians destroyed the Turkish Fleet at Sinope, and early in 1854 the Emperor of the French, who was leading England by the nose in the whole negotiation, wrote a hypocritical letter in favour of peace, to which the Czar replied that much before the Russian occupation of the Principalities, when England hesitated to assume a hostile attitude, Napoleon took the initiative in sending his Fleet as far as Salamis. That while Napoleon made it appear that the explanatory commentaries of the Vienna Note rendered it impossible for France and England to recommend its adoption by the Porte, he should have recollected that the Russian commentaries followed, and did not precede the pure and simple acceptance of the Note by Russia, and also their urgent recommendation of it to Turkey. Besides, the Czar added—

"If any point of our commentaries had given rise to difficulties, I offered a satisfactory solution of them at Olmutz, and such it was considered by Austria and Prussia. Unfortunately, a portion of the Anglo-French Fleet had entered the Dardanelles under the pretext of their protecting the lives and properties of English and French subjects, and in order to allow the whole to enter without violating the Treaty of 1841, it was necessary that the Ottoman Government should declare war against us. I learn for the first time from your Majesty, that while protecting the reinforcement of Turkish troops upon their own territory, the two Powers have resolved to prohibit to us the navigation of the Black Sea—that is to say, apparently to take from us the right of protecting our own coasts. Would you, yourself, Sire, if you were in my place, accept such a position? I boldly answer, No."—[9th February, 1854.]

As to the Crimean War, I consider it a most foolish and a most wicked war, and one cannot but feel indignant at the weakness and cowardice of Austria in connection with that struggle. In my opinion, when we had induced the Russians to leave the Principalities, the war should have ceased; but we were then tied to the chariot wheels of Napoleon III., the tyrant of France, and it suited his dynastic purpose to continue the war until the conquest of Sebastopol. Therefore, we continued that war until we had inflicted the greatest loss upon a nation which had been our oldest, our best, and our most consistent Ally. When Lord Aberdeen met Parliament in February, 1854, he said he could not "prove" that there was any danger to this country in the war between Russia and Turkey. Now, if there was no danger in February, it was difficult to understand how there could be danger in March, when war was declared, the affair of Sinope having happened in November, and everything being *in statu quo;* and I look forward with alarm to the approaching Parliamentary Recess, when the country might suddenly find itself "drifted into" a perfectly unnecessary and wrongful war. In February, 1854, Austria assured the English and French Ambassadors at Vienna that—

"If the two Western Powers would fix a day for the evacuation of the Principalities, after which, if the notice should be unattended to, hostilities should commence, the Cabinet of Vienna would support the summons,"

whilst Prussia declared that she was not called upon to engage in the struggle until her own interests were involved, which would only be the case if Russia, which then occupied the Principalities, should annex them. On this Herr Von Vincke, the Leader of the Prussian Liberals, said—

"Instead of co-operating on the basis of that which she considers right and just, Prussia is making herself the post-boy or letter-carrier of Europe."

In consequence of this Austrian intimation, we stupidly and precipitately sent an ultimatum to Russia on 27th February, requiring the promise of the evacuation of the Principalities, but nothing else, by the 30th of April, and unless this pledge was given within six days, the British Cabinet would consider the silence of the Cabinet of St. Petersburg equivalent to a declaration of war. The answer of the Czar, as might have been anticipated, and as perhaps was desired, to this unnecessarily insulting and peremptory despatch, was—

"L'Empereur ne juge pas convenable de donner aucune reponse à la lettre de Lord Clarendon."

Austria then having cleverly and unscrupulously led us on the ice, and committed us irretrievably to war with Russia, sneaked out of the quarrel and left us to our fate, having made, as it were, a fool's mate of us in the political

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game of chess. Obviously, Austria and Prussia, as everyone now sees, though we were then as blind as bats, have the chief interest in preventing Russia from acquiring either the mouths of the Danube or Constantinople, and they were, as it were, by the irresistible force of circumstances, in the front line of the battle, whilst England and France could, with the most perfect safety to their interests, have remained wholly aloof from the contest, and the most we could have been reasonably expected to do in a case of Russian annexation of the Principalities or of Constantinople, would have been to send our naval Forces to control the Russian Fleet, whilst Austria, and not only Prussia, but Germany, should at their own cost have furnished all the land Forces, and we have been made catspaws of to snatch the German chestnuts out of the fire. Napoleon, however, actually pretended in his message to his credulous and obsequious Chambers that—

"France had quite as much interests, perhaps more, than England in the influence of Russia not being extended indefinitely over Constantinople, for to rule at Constantinople is to rule over the Mediterranean."

Yet the Turks who do rule at Constantinople do not rule over the Mediterranean, nor would the Russians if they held Constantinople, for all the Powers that border on the Mediterrranean combined would not be a match for England alone, and though it would be monstrous for Russia to have a single port or the smallest squadron in the Mediterranean, no one, of course, could reasonably complain if, as the French have often boasted, it "became a French lake." On the 20th April, 1854, Prussia and Austria signed a Treaty by which both guaranteed each others' territories, and which declared that either the annexation of the Principalities, or an attack on the Balkans was a necessary *casus belli*. The Russians evacuated the Principalities early in July, and the Austrians, after delaying 10 weeks from the date of the signature of the Treaty by which Turkey allowed them to occupy these Provinces, and waiting some weeks after the last Russian had retired, moved bravely forward on the 20th of August, as soon as there was no possible risk of fighting, and by this occupation they shielded Russia from an attack on the part of the Turks, and released a large number of Russian troops, who were sent to fight against us in the Crimea. On July 25, Count Nesselrode told Austria—

"We replied by silence to the summons of France and England, because it was couched in an offensive form, was preceded by open provocation, and was destitute of all conditions of reciprocity. If, in the opinion of the Austrian Government, the prolonged occupation of the Principalities was the motive of the war, it ought to be a consequence that when the occupation ceased the war should cease. If the interests of Austria and the whole of Germany should suffer temporarily from our operations on the Danube, they must suffer still more, as well as other neutral States, from the situation, brought about by the maritime operations of France and England in the Euxine, the North Sea, and the Baltic."

Austria and Prussia both expressed their opinion that Russia, in evacuating the Principalities, "had removed the only ground of complaint which could justify a hostile attitude towards her;" but the French and English Governments took a widely different view, and would no longer be satisfied with the *status quo ante bellum*, and wickedly and foolishly involved both England and France in an aggressive war against Russia, which has cost us above £100,000,000 of treasure and tens of thousands of lives, whilst it has retarded the emancipation of the Christians from Turkish oppression and cruelty, and the advance of Russia in civilization by nearly a quarter of a century. On 18th April, 1855, Lord John Russell, supported by M. Drouyn de l'Huys and Austria, proposed at Vienna a system of counterpoise in the Black Sea between Russia and Turkey, to which Russia agreed, and the war might then have terminated, and a very large part of the slaughter and pecuniary loss of the Crimean War might have been spared; but the French and English Governments refused to adopt this reasonable proposition, and in consequence both Lord John Russell and M. Drouyn de l'Huys resigned. At last, in December, 1855, Austria, after repeated efforts, succeeded in bringing about negotiations for peace; but so bellicose were France and England that Count Buol stated that, when he sounded the Cabinets of Paris and London—

"Although we found them embued with the firm resolution not to lend themselves to the initiative of any overtures for peace, nevertheless, to our great satisfaction, we found such dispositions in those Cabinets as to lead us to hope that they

would not refuse to examine and accept conditions of a nature to offer all the guarantees of a permanent peace."

Considering that we were then victorious over Russia, it would have been more magnanimous and more consistent with nations which make such gushing professions of Christianity, to have generously tendered to Russia such conditions of peace as were consistent with its national honour, instead of taking, as we did, an unfair advantage of our victory, and inflicting on that great country the indignity and wrong of limiting her Fleet in the Black Sea—which was thus made into a Turkish lake—to an insignificant and insufficient number of vessels, and placing her coasts and the Christians of Turkey at the mercy of the barbarous and incorrigible Turks, expressly barring all the Powers, individually or collectively, from giving these oppressed Christians aid, whatever cruelties might be perpetrated upon them, even if, for instance, one-third of the whole population was either massacred or sold into slavery, as in the case of the Greeks at the end of the War of Independence, whilst previously for 180 years the wretched Rayahs had enjoyed the constant protection of Russia. Soon after the conclusion of peace, the question of the relation of the Principalities to Turkey arose. Russia, and even France, wished to erect them into a separate Kingdom; but Austria and England, true to their retrogade policy, wished to keep them in strict subservience to the Porte. On this subject *The Times* remarked in 1858—

"Diplomacy does, indeed, cut a sorry figure in this matter. First, she regarded the Provinces as so important to Turkey that she went to war rather than suffer them, even for a time, to be rent from her; then she referred what was really the question of their future connection with Turkey to the people themselves; she overruled their decision because she wished them still to be dependent on Turkey, and she has now apparently ended by giving them a constitution which annihilates their dependence as effectually as if they had been formally united into a single kingdom; and in performing this feat she has kept the Provinces in an unsettled and miserable state for what, doubtless, appears to great diplomatists the very moderate period of two years and a-half."

In 1860, in the case of the Damascus massacres, when the French occupied Syria, the Turks stated that they yielded to force, and they would have none the less yielded to force now, if our Government had applied force in the right way and at the right time. In 1861 *The Times* said of the Crimean War—

"Never was so great an effort made for so worthless an object. It is with no small reluctance we confess that a gigantic effort and an infinite sacrifice have been made in vain."

In 1867 the European Powers agreed to recommend the Turks to give up Crete, after they had as usual destroyed a large proportion of the inhabitants, and this seems a novel way of preserving the integrity of the Ottoman Empire. In 1871 the Russians very wisely seized the opportunity of the Franco-Prussian War to repudiate the humiliating and unfair condition of the Treaty of Paris, and as the Turks were the first to assent, and we were under the influence of the Belgian scare, not caring to be more Turkish than the Turks, and having no Allies, we were obliged to submit. In the same year the Turks, who are so indignant at any of their territory being taken from them, declared Tunis an integral part of their Empire; and only last year the Khedive made an unprovoked and unjust war on Abyssinia, hoping to annex further territories to Egypt, and consequently to the Turkish Empire; but was ignominiously defeated by the brave Abyssinian Christians in spite of the aid of renegade Europeans. In 1873 England was obliged to check Turkish aggressions in South Arabia, tending to impede our communications with India. In 1874 Austria, Germany, and Russia informed the Turks that they considered themselves justified in concluding separate Treaties with Roumania, and they paid no regard to the protest of the Turks. Some years ago we too infringed the integrity of Turkey, by annexing Aden and Perim, to the great indignation of the French, who themselves had annexed Algiers. In 1875 the insurrection in Herzegovina broke out, and the English Government were expressing the strongest hopes that the insurrection might be suppressed. For my own part my strongest hopes at that time were that the rising would succeed, and if I had been asked, I would most willingly have subscribed towards the expenses of that insurrection. I consider that the Russians were much better justified in helping the Christians in Turkey and the Servians, than we were in fighting against Don Carlos in Spain;

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but then we are infallible, and it is obviously monstrous for Russia to prevent Turkey from its natural right of exercising any amount of cruelty on its own niggers, the Rayahs, and it is wonderful clemency of the Turks not to exterminate them altogether. Nothing could be more suicidal than for our Government to tell Turkey that under no circumstances would we resort to coercion. Whether we intended to coerce her or not, it was foolish to tell her that we would not. If a man had a dispute with another, and told him he would not compel him to pay what was demanded of him, most probably he would not pay. Hon. Gentlemen opposite seem to think that Christianity and demoralization go together in the case of the Rayahs, whilst Mahomedanism and all the virtues characterize the Turks; but if this is so, why do they not turn Mussulmans? Then, besides giving encouragement to Turkey, we have insulted Russia in every way. Among other things, we said that Russia was afraid to go to war; but the Russians had at no time shown a fear of war. It was alleged that she built a bridge for retreat, but it seems to be forgotten that on the occasion of the negotiations about the armistice, Russia sent an ultimatum to Turkey and, as usual, the Porte which never yields to argument gave in to force. Turkey wanted four years to effect her reforms, and the fact has been lost sight of that Russia offered to delay hostilities for a year, if at the end of that time England would join in a coercion policy. I do not think that that point has been touched upon. I wish to say a few words, in conclusion, in reference to the conduct of Russia. I certainly, sitting as a Liberal Member of this House, cannot and will not attempt to palliate the misconduct of Russia with reference to Poland, which, however, was nothing in comparison with the Turkish atrocities in Bulgaria and elsewhere; but still, even in reference to Poland, about the worst thing which was alleged against Russia —namely, its treatment of the Polish ladies, was precisely the same as that of General Butler to the ladies of New Orleans during the War of Secession in America. As to the innumerable Polish nobles, they were the oppressors of their unfortunate serfs, and Madame de Motteville said of their ostentatious appearance—"Many diamonds and little linen." I have several things to say in extenuation of the conduct of Russia. Perhaps few are aware, that in a preceding century the Poles invaded Russia, annexed great portions of that country, and imposed a Polish Prince on the Russian Throne; and, therefore, there was a hostile feeling in Russia against Poland on that account. In addition to this, as you all know, there was a continual state of anarchy in Poland, and in the seventeenth century Sweden conquered Poland, and held it in bondage for five years; and when the Partition of Poland took place, it was not a Russian proposal at all; but the Russian Government, seeing that Prussia and Austria were determined to have a partition, decided that the least evil was to have its own share of the plunder. On the occasion of the rebellion of the Poles in 1861, Prince Gortchakoff, the Governor, at first acted with great forbearance; and though General Gerstenzweig, the military Governor, was assassinated, no very severe measures were adopted; and the Roman Catholic Archbishop of Warsaw, Felinski, exhorted the Poles to submission. In May, 1862, the Grand Duke Constantine was appointed Governor, and begun with a lenient policy; but his life was attempted by Jaroszynski and Telkner, the chief of police, as well as many other Russians, were murdered, some of whom were poisoned. Upon this, deplorable measures of excessive rigour were adopted to quell the rebellion and restore order; but none of them were so bad as the conduct of the French under General Pelissier, so recently as the reign of Louis Philippe, who suffocated a large number of men, women, and children in a cave in Algeria; but then, ill-treatment of Roman Catholics by Greek heretics is a much more heinous sin than infinitely worse treatment of mere Arabs by orthodox Catholics. Then what has been the conduct of Russia towards this country? In 1553 the Anglo-Russian Company was established. In 1597 the Czar Ivan solicited the hand of Queen Elizabeth; and in 1697 Peter the Great visited England, for which he had the greatest admiration and regard. In 1800 we had Russian troops in Guernsey, guarding that island for us against Napoleon. In 1801 we churlishly refused to exchange some Russian soldiers, who had been taken prisoners while in our pay, against an equal number of

Frenchmen in our prisons, to the just indignation of Russia, and Napoleon then wisely not only released them freely, but gave them money, clothes, and every necessary. On the occasion of the invasion of Russia by Napoleon, the Russians performed one of the grandest acts in history, and that was the burning of Moscow. I should like to ask, if we were invaded by the French or Germans, if our nobility and gentry would be found setting fire to their houses in Eaton and Belgrave Squares, and whether they would not rather counsel submission? An instance of the noble conduct of Russia was shown in the Crimean War. They paid every farthing of the interest on their debt. They might have lodged it with some neutral Power to be paid over at the end of the war; but they did not do that, they paid it at once. Much has been said in regard to the low state of Russian credit; their Three per Cents. were, however, at upwards of 50, or considerably higher than ours were during one period of our war with France, and the Turkish Six per Cents. of 1869 are only about 8. Then it was said that Russia had an eye to India; but if that were so, why did she not send money and adventurers to India to injure us during the Mutiny, or to China when we were simultaneously at war with that country? I maintain that Russia has acted in the most honourable and friendly manner towards us at those junctures. There is another thing—what did Russia do at Tilsit? Why she insisted on the restoration of half his dominions to the King of Prussia. Then, in the year 1875, Russia alone prevented Germany from renewing the war with France which she had intended to commence; and another point was that in the Crimean War, the English prisoners were treated, not only with humanity, but with great kindness by the Russians. Lieutenant Royer, speaking on this subject, said—

"The English prisoners were well cared for. They were told to ask for everything they might require, and that they should have it for the asking."

One of the officers declares that if they had been wrecked on the Coast of England, they could not have received greater attention than was lavished upon them. To such an extent was this carried that the English officers were not allowed to burn tallow, but were supplied with wax candles. Above all, the Czar nobly emancipated upwards of 20,000,000 of serfs at a cost of about £120,000,000, which is an infinitely grander achievement than our emancipation of the West India negroes at a cost of £20,000,000. Passing to another point, people speak about the corruption of the Greek Church, but for many centuries the Greek and Roman Churches were united—in the 13th century, a union was effected between them which lasted for three years—and surely we should say nothing against the Greek Church, seeing that in 1723, and on several occasions since, a union was proposed between the Greek and English Churches. I may further add, that the Americans have the greatest regard and esteem for the Russians, and not a single American would degrade himself by fighting with Turkey against Russia and the oppressed Christians, though Englishmen can be got to do this discreditable work. We have been taunted on this side of the House with having stated that there was a division among the Ministers of the Crown on this subject. In the newspapers I find the subject commented on and names given. I think it is clear that there are three parties in the Cabinet. The general opinion is, that the Prime Minister, the Secretary for War, and the Postmaster General are strong for Turkey, and would have been quite willing to have launched us into a war in support of Turkey against Russia. On the other hand, I believe there are Lord Salisbury, the Lord Chancellor, and the Home Secretary, who are in favour of the Christians in Turkey. But half the Ministers are neutral, and as the wind blows in one quarter or another, they change sides. In short, the Ministry have boxed the compass of political vacillation. A great deal has been said about Mahomedans sympathising with the Sultan, but there are no fewer than 165,000,000 of Mahomedans, of whom only 40,000,000 are Turks, and the general body of Mahomedans do not regard the Sultan as their head. I will spare the House any further allusion to the events of the last two years, on which I would have wished to enlarge, and also upon the Resolutions before the House, as these subjects have been exhausted by preceding speakers, and I have already occupied too large a portion of your time. I have now only to thank

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you for having listened to me so patiently.

SIR GEORGE BOWYER said, that in his desire to be brief, he would neither quote from Blue Books, nor send out for water, but would address himself directly to the Resolutions of the right hon. Gentleman the Member for Greenwich. In bringing forward these Resolutions, the right hon. Gentleman had incurred a grave and a solemn responsibility, having regard to the circumstances of the case. A war had commenced, the results of which no one could predict, because it was impossible to say at what moment it might not become a great European war. It was difficult to localize a war such as this. It was not much to say that war existed between Russia and Turkey, but no one could tell when it was to end. The great armaments that existed on the Continent alone presented considerable danger, for there were at present 9,000,000 of men actually armed and ready to fight at a short notice, whenever the interests of their respective States were interfered with; and under such circumstances he contended that the course pursued by the right hon. Gentleman was not a wise or a statesmanlike course. The proceedings of that House were looked upon with attention and interest by the nations on the Continent, and discussions of this kind ought not to be lightly raised. At the same time he would not deny that the wise and prudent and statesmanlike opinion of that House might have been useful, if obtained on Resolutions brought forward in the beneficial interest of mankind; but what had the right hon. Gentleman done? Two of the Resolutions were, he (Sir George Bowyer) said it with all respect, impracticable, and had created a schism in that Party of which it was difficult to say whether the right hon. Gentleman was or was not the Leader, and the others were failures. That certainly was not the time to speak of giving a liberal and representative system of government to the Christian Provinces of Turkey when the tide of war was about to sweep over them. These two Resolutions, however, had been thrown overboard, and a reconciliation effected between the discordant sections of the Party. The result was, that the question now before the House was of a Party character. Now, that was, in his opinion, a very unfortunate circumstance. It was, also, unfortunate that the right hon. Gentleman should have expressed the opinion that the House of Commons did not represent the feelings and interests of the English people, and that the cry should have been taken up and spread. What were the Resolutions on which the House was now asked to state its views? The first expressed dissatisfaction with the conduct of the Porte; but what was the use of expressing dissatisfaction? The second was of a very peculiar character. It was as follows:—

> "That, until such conduct shall have been essentially changed, and guarantees on behalf of the subject populations other than the promises or ostensible measures of the Porte shall have been provided, that Government will be deemed by this House to have lost all claim to receive either the material or the moral support of the British Crown."

Now, supposing Turkey, when hard pressed by Russia, were to offer us those guarantees, should we be bound to go to war with Russia? [*Cries of* "No!" *from the Opposition benches.*] Well, it seemed to him impossible to put any other construction upon the Resolution. The country, however, would not consent to another Crimean War. In his opinion that war was one of the greatest misfortunes in the history of England. We had offered our advice to the Turk, he had not accepted it, and he must take the consequences. It was not difficult to foretell the result of a contest between an Oriental army like that of Turkey and the great military machine which Russia possessed. But the Turks had gone into the struggle with their eyes open, and this country could not in any way interfere. If Russia attempted conquest, she would commit a great crime against Europe, and so many conflicting interests would be drawn in, that the war would probably extend all over Europe. In that case, indeed, circumstances might arise which would make it impossible for us to avoid going into war. If, on the other hand, Russia should be wise and moderate, and, acting upon the Declaration she had made, sought only to ameliorate the condition of the Christian inhabitants of the Porte, and to secure for them the rights of humanity which they had been deprived of by the Turkish Government, then they might see a satisfactory solution of the Eastern Question, which would pre-

vent for the future those calamities and crimes they all so much deplored. For his part, he thought it very possible that the wisdom of the Czar and of the Russian statesmen might lead to a result with which we should all be satisfied. In fact, the objects of the Conference might thus be attained. He considered that Her Majesty's Government took an honourable course in frankly declaring that they were not prepared to use force to carry out the decisions of the Conference; while with regard to the diplomatic efforts which had been made, it was his opinion that there had never been such a concert among the Powers of Europe as was likely to prevent the Turks from showing obstinacy or resistance. Upon the whole he thought Her Majesty's Government had done all they could have done in the difficult circumstance in which they were placed. The Resolutions of the right hon. Member for Greenwich could do no good. Parliament ought only to interfere if it had a policy to prescribe. These Resolutions prescribed no policy, and, therefore, he thought they would do more harm than good. For his part, he refused to make this a Party question. If the right hon. Gentleman had been at the head of the Government and similar Resolutions had been proposed, he (Sir George Bowyer) would have voted against them, as he was now going to do. This was a question which ought to be left in the hands of the responsible Executive Government.

MR. O'CLERY wished to point out that, if the Resolutions of the right hon. Gentleman the Member for Greenwich meant anything, they meant war against Turkey; and although that was now denied, he should like to know whether the question had been asked the various meetings which had been held in support of the right hon. Gentleman's policy, whether they would be content with mere words. If the outcome of all the agitation which had been got up was simply to be such an unreal debate as that in which the House had been engaged for the last week, then the action of the right hon. Gentleman had ended, he could not help thinking, in a complete and utter failure. The right hon. Gentleman never opened his mouth to condemn, in 1862, the massacres of the Abruzzi, when 7,000 peasants were slaughtered by the Piedmontese Government, and he endeavoured to produce a revolution against the Kingdom of the Two Sicilies, which was ultimately successful. Nor did he ever protest either in 1863, or during the 14 years which had since elapsed, against the horrors and massacres committed in Poland by the Russian Government. The right hon. Gentleman, with singular bad taste, always contrived to interfere in the internal affairs of States that were weak, and endeavoured to cripple the actions of Sovereigns who were powerless to resist the attacks of a powerful Minister, as he once was, and a Leader of public opinion in this country, as he was at present. As he (MR. O'Clery) had said, he went out of his way to promote the downfall of the Kingdom of the Two Sicilies; and he had also assailed the venerated Head of the Roman Catholic Church throughout the world, and to whom millions of Her Majesty's subjects owed spiritual allegiance. He had now suddenly awakened to a sense of the cruelty and tyranny inflicted upon the Christian subjects of the Porte; but had there been no other Christians who during the last few years had suffered outrage, horror, and cruelty? The right hon. Gentleman was a Member of the Government in 1863, during the height of the Russian persecutions of Poland; but beyond a despatch or two from Lord Russell protesting against the treatment of Poland that Government had taken no action whatever, nor had the right hon. Gentleman ever since opened his mouth in condemnation of that persecution. Poland after the insurrection was guaranteed its *status* as if no insurrection had ever occurred. But Russia broke through every engagement made to Poland. Her autonomy was destroyed, and all the functionaries had been supplanted by Russians. Attacks the most systematic and determined were made, not only against the religion of the Polish Roman Catholics, but also upon their laws and property. No Popish subject had the power of selling his landed property. It could only be sold to Russian subjects, so that the land was so depreciated that it became utterly valueless to the Polish people. During the last 13 years the Russian Government had constantly attacked the religious liberties of the people. The Archbishop of Warsaw and one of the Bishops had been cast into prison. Another Bishop

had been sent to Siberia. The Roman Catholic convents had been suppressed, and all these cruelties had been committed simply because these Prelates had endeavoured to carry on the ministrations of their religion. Hon. Members who knew the history of Poland also knew how well she deserved that her autonomy should be recognized by Europe, and that she should be rescued from Russian oppression. Was there any justice or consistency in the right hon. Gentleman raising his voice in behalf of the Christians of Turkey and ignoring the persecution of the Christians of Poland? The hon. Member for North Warwickshire (Mr. Newdegate) justified his intention to vote for the Resolutions, and stated that the severities practised in Poland during and after the insurrection of 1863 had been provoked by the fact that Russian officers had been poisoned by the Polish insurgents. He was astonished that any hon. Member of that House should have offered so gross an insult to a noble people. There was no foundation whatever for the charge. The hon. Member, however, had shown his animus by stating that the Poles were persecuted because they were Roman Catholics, and as such could not be good subjects, and the spirit he had displayed in that manner enabled them to estimate at its true value his advocacy of the Christians of Turkey. He (Mr. O'Clery) could not allow the debate to close without protesting against the outrages and oppression of the Turkish Government. For himself, he hated the Moslems with a hatred far more earnest and sincere than that of the right hon. Gentleman, and he would gladly do anything to bring about the destruction of Turkish rule; for he considered the Mohamedan religion as the greatest revolt that had ever been made against Christianity, and believed that the overthrow of Moslem rule in Constantinople would lead to the downfall of the Moslem faith. But, although opposed to the Moslem faith and the Moslem rule, he could not agree with the right hon. Gentleman, because he knew full well that the English Liberals had never backed up any honest cause in Europe except by mere words. They talked for years of the freedom of Italy, but did nothing in the way of forwarding it as France had done. They goaded on the gallant Hungarians in their struggle against Austria in 1849, but gave them no assistance. For half-a-century, he might say, they had been endeavouring to undermine the Governments of other countries, and when their tools had done their work, or were obliged to fly to England, they received them with open arms. When the vulgar freebooter, Garibaldi, who had notoriously disturbed the peace of Europe, visited this country he was received by the English Liberals with enthusiasm, and the right hon. Member for Greenwich was among the first to meet that man and take his hand. That instance alone would be sufficient to guide him in estimating the value which ought to be attached to the right hon. Gentleman's advocacy of any cause. How could he, as an Irish Catholic Member, hating revolution, and Conservative in his instincts —for although he desired the restoration of the ancient Constitution of his country, he desired it in a thoroughly Conservative sense—support the Resolutions of a right hon. Gentleman who had pursued the course he had described, and who had done that which was unworthy of him in taking the hand of a vulgar freebooter? At the same time he must say that he viewed with indignation the indifference with which the Bulgarian atrocities had been treated by the Conservative Party. He was not, however, surprised to hear many of them speaking of these outrages as being after all a military necessity. They could not as men of honour blame the Turks for what they had themselves done in India and in Jamaica. He believed that in the event of an insurrectionary movement in Ireland, the majority of the Conservative Members would stamp it out as mercilessly as the Turks had stamped out the insurrection in Bulgaria. In 1864, when there was some talk of a Fenian insurrection, *The Pall Mall Gazette*—a journal professed to be written by gentlemen for gentlemen—said that if any attempt at insurrection were made in Ireland, England would make of that Island such an example that Europe would shudder at the spectacle. Did any paper in Constantinople give expression to a sentiment more savage or atrocious than that? Knowing the feeling of the Conservative Party on that subject, he, therefore, could not vote with them on the present

occasion, although, for the reasons he had stated, he could not support the Resolutions. There was one important lesson to be derived from the present events—namely, that sooner or later nationalities like Poland, however cruelly oppressed, would ultimately come to the front. If Austria were forced into this war, she could strike a serious blow at Russia by allowing bands of Poles in Galicia to cross the frontier into Russian Poland to aid their brethren against their oppressors. England could not take part in an European war without considering her position as to that nationality, and also as to Ireland; for what could be said if this country were dragged into war? Russia could turn round and tell us that we had a Poland here at home in the shape of Ireland; and Turkey could say with truth that we were not without our own Bulgaria, Bosnia, and Herzegovina. He believed that no Party in this country desired to go to war; but, at the same time, he desired that this country should maintain her position of neutrality with dignity and strength, and it seemed to him that there was only one way in which that could be done, and that was by openly avowing her determination to ally herself with France. There was at present an alliance between Germany and Russia, which meant that Germany would endeavour to take Holland and Belgium at the first opportunity, and if she succeeded there would be a force hostile to England established within a few hours of her coast. They must decide, therefore, before it was too late, whether they would allow Germany to overrun France, or enter into a central alliance with the latter country, by which alone they could maintain the position of neutrality they desired to take up. For the reasons he had given he could not vote for either Party.

Mr. BENETT-STANFORD craved the indulgence of the House for a short time, while he made a few remarks on this all-important question. He must express his regret that the Resolutions of the right hon. Gentleman the Member for Greenwich were about to be pressed to a division, and he thought the time the right hon. Gentleman had selected for bringing them forward very ill-chosen. While there could be little difference of opinion as to the conduct of Turkey, he thought this was not a time when they should be called upon to go into different Lobbies and thus show a divided front to foreign nations. The subject was one which ought to be regarded on all sides as of national importance, and he could not but express his regret that it had degenerated from a national question into one of Party strife. There was one good point which resulted from this debate, and that was the excellent and clear speech of the right hon. Gentleman the Home Secretary, and he thought the whole House—except perhaps the hon. Members for Glasgow (Mr. Anderson) and Caithness (Sir Tollemache Sinclair)—and he might say the nation at large, agreed that if Russia occupied Constantinople, or attempted to interfere with the Suez Canal, that then we should go to war. An opinion had been expressed in some quarters that our possessions in India would be threatened if Russia occupied Asia Minor or the Euphrates Valley—he did not agree with that view—he believed that even if Russia had possession of the Euphrates Valley, and occupied Bagdad and the Persian Gulf, that she would not be one iota practically nearer India than she was at present; and for this reason, that she would have to cross Persia, Cabool, and Afghanistan, before she could reach the nearest point of our Indian Empire, and how could she convey her armies across 1,000 miles of desert and vast tracts of almost uninhabitable regions? Then it might be said, the Persian Gulf would give her the command to India by the sea, but any one who had been there would know that the entrance of the Persian Gulf was so narrow that it could always be blockaded by one, or at the most two ships of war. He did not agree with the hon. Baronet the Member for Caithness and the hon. Member for Glasgow, when they said that England ought not to draw the sword, even if Russia occupied Constantinople. He maintained that if Russia should hold Constantinople, she would practically turn the Black Sea into a Russian lake, and the Bosphorus into a huge Russian arsenal. If Russia had possession of the Dardanelles she would fortify the entrance so strongly that while her own ships of war could sally out to harass our ships and perhaps threaten the passage to the Suez Canal; yet, if pursued by an English fleet, if they attempted to pass the forts

of the Dardanelles, they would be blown out of the water—he maintained that Constantinople was the key of the Suez Canal as much as it was the key of Asia Minor, therefore he thought the Home Secretary was perfectly right when he said that Constantinople and the Suez Canal were the two points of English interests that this country would never allow Russia to threaten. The House should not pass over the great interest which the Mahomedan subjects of the Queen took in this great question in India. He would venture to remind hon. Members that Her Majesty ruled over 10,000,000 more of Mahomedans than she did of Christians of all denominations in the entire United Kingdom. There were in India 42,000,000 of Mahomedans, of whom 40,000,000 at least looked up to the Sultan as the head of their religion. Prayers were offered up daily for the safety of the Sultan in all the principal mosques of India, and money was being largely collected and remitted to the Stafford House Fund from all parts of India, and that notwithstanding the famine and that the Government of India were endeavouring to throw cold water upon these charitable efforts. The hon. Gentleman opposite the Member for the Kirkaldy Boroughs (Sir George Campbell) and others had held that the Mahomedans of India were not tied in any way, religious or otherwise, to the Sultan of Constantinople, but with the permission of the House he would quote the opinion of one of our best Indian scholars and historians, Sir Edward Creasy, who had spent a lifetime in high offices in India, and whose works on India were always considered reliable and standard works. In Vol. I., page 241, of Creasy's *History of the Ottoman Turks*, he stated as follows:—

"Another important dignity which the Sultan Selim and his successors obtained from the conquest of Egypt was the succession to the Caliphate and to the spiritual power and pre-eminence of the immediate vicars of Mahomet himself. When Selim conquered Egypt, he found there the twelfth Caliph of the family of Abbas, and he induced him solemnly to transfer the Caliphate to the Ottoman Sultan and his successors—at the same time Selim took possession of the visible insignia of that high office, the sacred standard, the sword, and the mantle of the Prophet. The Turkish Sultan at once became the spiritual and the temporal Chief of his Mahomedan subjects—in fact he became both Pope and Emperor."

He would here draw the attention of the House to the following passage as most important:—

"It will readily be imagined how much the Sultan's authority must have been augmented by his acquiring the sacred position of Caliph, Vicar of the Prophet of God, Commander of the Faithful, and Supreme Head of Islam. It gives the Turkish Sultan dignity, authority, and practical influence, not only over his Mahomedan subjects, but over all who profess the creed of Islam whatever be their race and whatever be their country, except the Persians and others who hold the Shiite tenets. But the great majority of Mahomedans are Sunnites, and in the eyes of all Sunnites the sacred rights of the primitive Caliphs are vested in the House of Othman, and Sultan Abdul Mejdid is the supreme chief of the Mahomedan world."

He would remind the House that out of the 100,000 Native troops in our Service in India, nearly 50,000 of them were Mahomedans, and although he did not wish to make much out of that fact, still he thought any statesman should think twice before he stirred up their religious feeling. There was another reason why he should vote against the Resolutions, and that was because he had always been taught that it was a cowardly and unmanly thing to hit a man when he was down. We were asked by these Resolutions to strike a nation which had been an old ally of ours, and with whom we had fought side by side. He was not prepared to defend the Government of Turkey, nor her treatment of her Christian subjects; but that was not the time for England to stand up and hold a threat over Turkey when she was surrounded by her enemies on all sides. Such a proceeding would be as unjust as it would be ungenerous, and as ungenerous as it would be un-English.

MR. E. JENKINS thought the position of Turkey was rather that of a criminal whom it was necessary to bring to justice than the position which had been described by the hon. Member who had just sat down (Mr. Benett-Stanford). About a week ago the right hon. Gentleman the Member for Greenwich brought forward his Resolutions in that House in a speech which, perhaps, would be a remarkable memory to this generation. It was remarkable not only for its rhetoric and oratory, but for its skill, its feeling, its sentiment, its exalted tone and thought, and was, perhaps, one of the most thrilling speeches which had been delivered during the existence of the present House of Commons. But

there was something more, for in it was presented a masterly argument, which was broad and deep and far-reaching in its statesmanship, and it was a noble protest against the ambiguity and vacillation of the Government. Moreover, it contained a recognition of duties and responsibilities on the part of this country which it was not only dangerous, but fatal that we should overlook, and lastly, it was a vindication of those high principles of righteousness, of justice, and of civilization, which were not only consonant with the best interests—the most real interests of this country, but were also most consistent with the general welfare of the human race. He had sat in the House and had listened to the speeches of many other hon. Gentlemen which had been made on both sides of the House, and with the exception of those delivered by the hon. Member for Liskeard (Mr. Courtney) and the hon. Member for Berkshire (Mr. Walter) he confessed he had heard nothing but a vacillation of opinion between the meanest sentiments of jealousy on the one hand, and on the other a tradesmanlike policy of self-interest. As far as he could see no attempt had been made to answer the speech of the right hon. Gentleman the Member for Greenwich. They had certainly had variety in the debate. They had descended to the level of feminine vindictiveness in the speeches of the hon. Member for Mid-Lincolnshire (Mr. Chaplin), and of the senior hon. Member for Sheffield (Mr. Roebuck). They had also heard a speech from the right hon. Gentleman the Home Secretary, which had been received by the House as a statement of the sound policy of the Government, and speeches from other Members of the Front bench, and it had been said rightly by the hon. and learned Gentleman the Member for Oxford (Sir William Harcourt), that the Resolutions, the speech, and the action of the right hon. Gentleman the Member for Greenwich had been amply justified by these speeches. He contended that the proposals of the right hon. Gentleman (Mr. Gladstone) were in no way whatever inconsistent with the stand which was at the present moment taken by the Government. The history of the past action of the Government was a question into which, perhaps, it was just as well they should not enter. It was not a creditable review. It was a story of attempts on the part of the Government to settle the affairs of Europe, and it had resulted in a manner such as had never before been known in the history of England, and such as he hoped they would never hear of again. The right hon. Gentleman the Home Secretary had abjured the defence of Turkey; but he had not patronized Russia; and he had put forth suggestions which were most doubtful as to the future. It had been announced that there was a change of policy on the part of Her Majesty's Government to strict neutrality. But how could we trust them? Last year he (Mr. Jenkins) formed one of a deputation to the noble Lord the Secretary for Foreign Affairs, who then stated that their policy was one of strict neutrality; but had it been a policy of strict neutrality, as between the Porte and its revolted subjects? He maintained that, so far as moral influence was concerned, it had not, for it was one which favoured Turkey rather than Russia. No doubt if the Government would declare positively that the policy of the Home Secretary was their policy, and that they were prepared to carry it out, it would contribute very much to reassure the people of this country. The Resolutions of the right hon. Gentleman the Member for Greenwich were justified not merely by the declaration which had been drawn from the Treasury Bench, but also by the circumstances of this country and of Europe. As to the policy of the Government, the Home Secretary had said that they had always proceeded on a straight line. Well, the definition of a straight line was the shortest way between two given points; but the course of the Government from the point of departure towards the point in view had been one of gyrations, variations, and zig-zags, and to describe that as a straight line was very suggestive of a man chalking out a straight line for himself on the floor, and for reasons which need not be mentioned, finding himself unable to walk along it. With regard to the relations of the Press to Her Majesty's Government, which had been alluded to, he did not think that ever in the history of England had those relations been so peculiar and abnormal as they were at the present time, at all events, between Her Majesty's Government and the London Press. The other day the

noble Lord the Secretary of State for Foreign Affairs had referred with approval to the information from its Correspondent at Constantinople, which had appeared in one of the newspapers—*The Daily Telegraph*—as information of a particularly trustworthy character. Now, in the Mosaic columns of that journal were to be found most outrageous statements, revolting to the feelings of the country, presenting as they did a complete defence of the atrocities in Turkey—a completely Turkish side of the question. Then there was another journal which was said to have relations to Her Majesty's Government—*The Pall Mall Gazette*—which, published in the latitude of London, expressed opinions that were more fitted for the latitude of Dahomey or Stamboul, and which day after day was engaged in supporting a policy that was a disgrace to a Christian nation, and on which he looked not only with contempt, but abhorrence. On the other hand, we had the grave and sober, and, tolerably, fair articles of *The Standard* and *Globe*, whose policy was perhaps, on the whole, the one which the country approved, a policy of absolute neutrality as between the Turks and the Russians. Still, it could not be concealed that among those journals which supported Her Majesty's Government there were strong sympathies which ran counter to the general feelings of the people of England. But there was a still more remarkable and dangerous thing, and that was, that the solidarity of Europe had been entirely destroyed; and, after a careful study of the Blue Books and a careful reading of the information which came from the various European capitals, he maintained that this was due in no small degree to the action of Her Majesty's Government. He referred more especially to the conduct of the Government with regard to the Andrassy Note, the Berlin Memorandum, the Protocol, the Declaration which Lord Derby had appended to the Protocol, and his recent Despatch in answer to the Circular of Prince Gortschakoff. They had separated themselves from Europe, and England now occupied a solitary position of vicious and mistrustful isolation. Danger existed all around us from the divided state of Europe. There had been two voices and two policies amongst the Members of Her Majesty's Government; one in favour of the concert of Europe, and the other of the Turkish interests of England—on one side, affection for Turkey; on the other, a demand for external guarantees for carrying out the demands made upon Turkey. The demand for external guarantees had been made by Lord Derby in his Instructions to Lord Salisbury. If the Government, as they had said, never contemplated interference with the independence and integrity of the Turkish Empire, he wanted to know what they meant by demanding that there should be external guarantees. In the same spirit Her Majesty's Government had assented to breaches of Treaties, while they continued to express faith and belief in their maintenance. The Treaty of 1856 had in its second Article laid it down that any infraction of its provisions was to be considered by the signatory Powers as a *casus belli*, on the occurence of which they would determine amongst themselves as to the employment of their fleets and armies. It was true that Turkey could not call upon us to carry out the Treaty, because there had been no Convention of the Three Powers; but was there nothing in the Treaty making it incumbent on England at the very moment that Russia had iguored that Treaty, to communicate with Turkey, and consult as to the measures which had become necessary? But Her Majesty's Government at one time insisted on the faith of Treaties, and at another entirely ignored them. The hon. and learned Member for Oxford had not spoken one whit too strongly on that point. With reference to the reply of Lord Derby to the Russian Circular, he had read it with a sense of shame; because, whatever we might say, we could afford to be polite. The insolence of that despatch was a gratuitous insult to Russia, and, to his thinking, it was an inconsistent and inept piece of diplomacy. Lord Derby stated in that despatch that the Russian action was a contravention of the stipulations of the Treaty of 1856, by which Russia and the other signatory Powers had engaged to respect the independence and the integrity of the Ottoman Empire. If it was in contravention of the stipulations, why had not Her Majesty's Government put that Treaty into force? And if not prepared to put it in force, why write an insulting despatch to the Emperor of Russia, saying that he had

contravened the Treaty of Paris? It was most unfortunate Her Majesty's Government had not taken the dignified course pursued by the rest of Europe, of recognizing the fact that the Treaty of Paris had become a dead letter. Referring to a dead letter as if it were still in existence, and throwing it in the face of Russia was undignified and futile. The Government during the Recess had undertaken the responsibility of checkmating Europe; but they had undertaken more than they had been able to perform, and the result had been that they had played into the hands of Russia, and had positively given her the game. They had broken the concert of Europe with reference to the Berlin Memorandum, in taking upon themselves the responsibility of holding back and preventing the Three Powers from putting into operation measures that would have been efficacious for the purposes which had been admitted to have become necessary, and by that means Her Majesty's Government had made themselves responsible for a pacific solution not having been arrived at. It had been said that our policy was one of "neutrality limited by the interests of England," but what were the interests of England, and where would the right hon. Gentleman (the Chancellor of the Exchequer) when he came to make his speech draw the line? The answer to that would be watched with solicitude by the people of England, because the right hon. Gentleman the Home Secretary had referred in rather a vague way to certain points at which he had said the interests of England would be touched. That had correctly been described as a torpedo policy, sinking a number of torpedoes in a channel used by Russia, one of which might at any moment be exploded at an unexpected point. He thought, therefore, that they had a right to demand of Her Majesty's Government that they should define more exactly what they considered to be the interests of England. Taking a higher moral position, he contended that in a great and free country like our own there was nothing like a candid policy. We ought to declare in the face of the world what we considered the limits of English interests. It was necessary, because of preposterous ideas ventilated in Government quarters. He wished to draw attention to the monstrous, arrogant, extravagant and dangerous claims put forth by authorities, recognized as weighty on the other side of the House, with regard to British interests. *The Pall Mall Gazette* said—

> "Our Eastern policy is founded neither on the likings nor the dislikings of races. It is a consequence of that irrepressible struggle for empire that is continually going on, which embraces the East and the West, and in which we cannot avoid taking part."

It would be some satisfaction if they might hear some less vague definition, and he would like to know whether Her Majesty's Government upheld that view? Another definition had been given by the noble Lord at the head of the Government (Lord Beaconsfield), who had said in that House in his (Mr. Jenkins's) hearing, that the Mediterranean was to be considered as one of the great highways of our Indian Empire, and that that and the waters communicating with it were to be free and secure, our Mediterranean Fleet being a symbol that we should protect our own interests by not permitting any great territorial aggrandizement to take place in that part of the world without our consent. Now, he was prepared to take issue on both these proclamations of what were considered to be British interests. By the last they might find themselves committed to maintain the Mediterranean and the seas connected with it as British waters. The consequences should be considered. This meant the assertion of supremacy in the Mediterranean in the teeth of all Europe. It would require, in order to maintain their assumed rights in the Bosphorus, the blood and treasure of generation after generation of Englishmen. That was a doctrine equally contrary to the rights of nations and to public morality. As to Asia Minor, he would protest against the assertions with regard to the territories there. Was it possible that a nation governed by Christian principles, professing to lead the whole of Europe, and to act only on principles of justice and right, would be prepared for one moment to maintain and permit that the whole of the country between the Ægean Sea and the Persian Gulf should remain a wilderness, and subjected to bad government, merely for the protection of British interests? Were they to prevent Russia from coming forward to annex and civilize it? Or were they ready to go into

Asia Minor and annex it to the British Empire? Would they take the Valley of the Euphrates and the whole of Persia in order to keep open the highway to India? The more they examined them, the more they perceived how utterly immoral were these arrogant pretensions. He hoped they should hear no more of Imperial rights in the Mediterranean Sea, and the necessity of maintaining open a grand devastated highway between the Ægean Sea and the Persian Gulf. He was a supporter of the four Resolutions. The two things Her Majesty's Government said they had endeavoured to obtain were peace and good government in Turkey, but they were two things utterly incompatible the one with the other; and Lord Derby had said so in almost as many words. It was utterly impossible that a tyranny like Turkey could be renovated by ideas—it must be removed by force. It was impossible to reform such a thing by the application of modern principles of government; the only way to reform it was to sweep it from the earth. In that opinion Russia, Austria, and Germany were agreed; but the British Government had still believed in promises which they knew would never be fulfilled by a nation that repudiated modern ideas and abhorred civilization. The Home Secretary said that the Christians in Turkey would be more injured than benefited by a war on their behalf. Well, blessings for men were scarcely ever won without sacrifice and blood. If there had been wise statesmen at the head of Her Majesty's Government they would have recognized the fact that although the Bulgarians, Bosnians, and Herzegovinians might be immediately the sufferers, yet by the war which might be necessary for obtaining their freedom, their children and succeeding generations would be blessed. He had addressed the House in these terms because he believed Her Majesty's Government had made a great mistake in not endeavouring to bring about a concert of Europe for the purpose of relieving those Provinces from the yoke of the Turk. In his opinion their policy was narrow and bigoted, the effect of it being that at this moment the progress of civilization and Christendom was checked by the events which were occurring in the East. If Her Majesty's Government had had a bolder heart and a stronger hand they would have united with the other Governments of Europe in endeavouring to enforce on the barbarous Government of Turkey the rights of civilization, humanity, and justice. They had failed in their efforts and they were pursuing at this moment a policy of neutrality. For the moment, he and those who shared his opinions approved that policy; but they insisted, with the right hon. Gentleman the Member for Greenwich, that the policy of the future should be one which would unite all the great nations of Europe in an endeavour to enforce on Turkey the demands of justice and of right.

MR. FAWCETT said, that while he felt it was due to the House that he should compress anything he might have to say upon the subject, yet, greatly to his regret, it was incumbent upon him to make one or two comments on the position in which that debate had been placed. He did this with great regret because no one could be more anxious, either in that House or in the country, than he was to offer grateful homage to his right hon. Friend the Member for Greenwich for the inestimable services he had rendered to the country in reference to the Eastern Question. At first, when the announcement of the right hon. Gentleman was made to abandon the two Resolutions, he (Mr. Fawcett) felt deeply disappointed. His first idea was to bear that disappointment in silence, and he would have done so, had not the course which the right hon. Gentleman pursued received the cordial approval of the right hon. Gentleman the Member for the City of London (Mr. Goschen), and of various other hon. Members who had taken part in this debate. If, therefore, hon. Members who objected strongly to the course adopted had remained silent, their silence might be misinterpreted and misunderstood. He said this with no feeling of bitterness. They did not object to the noble Lord the Leader of the Opposition and those who sat near him holding different opinions from their own with regard to the third and fourth Resolutions; but he felt he should be wanting in candour if he did not publicly state he felt it was hard—and thousands in the country reciprocated the feeling—that the influence of the noble Lord and of those who acted with him should have been used to prevent a considerable section of his Party from

expressing their opinions on Resolutions to which they attributed the greatest possible practical importance, and which embodied cardinal principles of the country's policy. From the first he had been unable to understand, and no reasonable explanation had been offered, why, if the noble Lord agreed with them in voting for the first and second Resolutions, he should have prevented a considerable section of his Party — more than 100—from voting for the third and fourth Resolutions. During the Autumn and up to the present time the right hon. Gentleman the Member for Greenwich had contended that England had undertaken a responsibility from which she could not escape, to do something for those unhappy people in Eastern Europe. After all the resolutions which had been passed by meetings all the country over in favour of the policy of the right hon. Gentleman the Member for Greenwich, what position did they at that moment find themselves in? Instead of voting for the four Resolutions, they were asked to vote for one or two Resolutions, which involved simply the principle of strict neutrality; and that with the right hon. Gentleman the Member for the University of London, who declared in a speech delivered by him last year that the essence of his policy was to wash his hands of Turkey, and the right hon. Gentleman the Member for Greenwich, who had stated that that England could not do, as long as Bosnia, Herzegovina, and Bulgaria had occasion to cry to England for aid. But it was said—"Although you have not the last two Resolutions, you have had the magnificent speech of the right hon. Gentleman the Member for Greenwich." But, though the reasoning of the right hon. Gentleman was unanswerable, he (Mr. Fawcett) could not but regret that the right hon. Gentleman did not give him an opportunity of carrying his unanswerable argument to its legitimate conclusion. Well, a great deal had been said as to the speech of the right hon. Gentleman the Secretary for the Home Department; and, no doubt, in many respects, it was satisfactory; but, still, it could not be dissociated from other circumstances to which the attention of the House ought to be directed; and it might be asked, whether it truly indicated the policy of the Government? There was always, he found, this difficulty in making out their policy on the Eastern Question—that though they went one step forward they then took two steps backwards. The very day on which that speech was made, containing a strong and vigorous declaration in favour of strict neutrality, the despatch of Lord Derby to Prince Gortchakoff was published; and if that despatch meant strict neutrality, all he could say was that he did not understand the plain meaning of the English language. The speech of the Under Secretary of State for Foreign Affairs amounted to a severe censure on that despatch of the hon. Gentleman's own chief, Lord Derby; for if the contention of the hon. Gentleman was correct the despatch in question ought never to have been written, as the Sultan had not the power of bringing to justice Shefket Pasha and other perpetrators of the horrors that had so stirred the country. He could not also but contrast the respectful but cold reception given the other night to the right hon. Gentleman the Home Secretary when he rose to address the House with the passionate enthusiasm which was excited by the inflammatory harangue of the right hon. Baronet the Member for Tamworth (Sir Robert Peel); nor could he forget how a section of the Conservative Party had condescended so low as to cheer the coarse tirade of the hon. Member for Stoke (Dr. Kenealy). He (Mr. Fawcett) was not there to stand up as an apologist for Russia, for no one had spoken more strongly against the conduct of that Power towards Poland than he had; but he must say that it was a strange fact that when, some years ago, sympathy with Poland would have done her good, that when Gentlemen like his hon. Friend the Member for Leicester (Mr. P. A. Taylor) called attention to the condition of that unhappy country, there did not appear to be a vestige of that sympathy; nor did it appear until the cause of Poland could be used to prop up something infinitely worse than anything that had ever occurred in Poland. He would be the last man to palliate the conduct of Russia towards that country; but there was one infamy Poland had been spared — the honour of her women had been regarded and respected. But if Russia had done wrong in Poland she had done some memorable and magnificent things. Why, it was only about three years

ago, when the great bulk of the Conservative Party was represented in Guildhall at the reception of the Czar, the sentiment was there expressed, amid enthusiastic cheers, that they wished to welcome the enlightened Ruler of a great Empire, and gratefully to acknowledge the services which he had rendered to his vast population in the emancipation of the Serfs. Could any good result from this petty, carping, irritating suspicion of Russia, which had been manifested in the course of these discussions? If these irritating attacks were made upon her, he feared their effect might be seriously to imperil the prospect of settling the difficulties in Eastern Europe by moderate counsel. There was, unfortunately, more to be dealt with than the irresponsible cheers of the Tory Party and the articles appearing in the Tory Press. They had the despatch of Lord Derby, to which he had referred, to consider. The right hon. Gentleman the Member for Pontefract (Mr. Childers) spoke of that despatch not too strongly when he characterized it as one of the most violent and provoking that had ever been issued by an English Government, and the hon. and learned Member for Oxford (Sir William Harcourt) had styled it insolent and insulting. He wished to put a question to those two occupants of the front Opposition Bench. It was why, if they thought that Lord Derby's despatch was ill-timed, violent, provoking, insolent, insulting, and dangerous, they did not bring these strong expressions of opinion to some practical test, and give the Party which they led an opportunity of voting upon the question. If they referred back to what took place at the Conference they would arrive at the conclusion that a more unjust and ungenerous despatch than that of Lord Derby was never written. On the 4th of January his Lordship told Musurus Pasha and Edhem Effendi, that if Turkey did not accept the proposals of the Conference there was no course open to Russia but to declare war; and he instructed the Marquess of Salisbury to tell the Sultan that if, owing to apathy or obstinacy, he refused to accept the demands of the Conference, the fault would not be with Russia, but solely with the Sultan and his Advisers. Having used this threat of impending war to induce the Turks to yield, was it not most ungenerous to turn round in May, and tell Russia in that despatch that she had declared war contrary to International Law and deserved our censure and disapproval? But it might be said that between January and May there was the Protocol. Yes, there was; and so far as the reputation of the Government went the less said about it the better. What was the attitude assumed by Lord Derby and the Government in January? They said—"The thing we most care about is that something should be done to obtain better government in the oppressed Provinces of Turkey," and further that this must be done in the interests of the peace of Europe. But what was the attitude of Lord Derby with respect to the Protocol? He shrank into a peace-at-any-price policy, and said no more about the Provinces. The House should always remember that Russia signed the Protocol under certain conditions, clearly expressed and distinctly avowed. She said that if peace with Montenegro was not secured the Protocol would not be binding. It had been said that Russia could have obtained that peace with Montenegro if she liked; but it was impossible for Russia, or for combined Europe, to compel those nations to agree to ignominious terms of peace. Their past history forbad it. Besides, in making that assertion very scant justice was done to the power of Montenegro. It was further said that Russia on entering into war had disregarded the Treaties of 1856 and 1871. He denied that there had been any breach of international Treaties, and he contended that Lord Derby was precluded from using that argument by the fact that he instructed Lord Salisbury to inform the Sultan that the responsibility of a war would rest upon him and his advisers. The change of attitude on the part of the Government was an instructive comment on the policy of reticence which had, unfortunately, been pursued by the Opposition; and it showed that English public opinion could not safely slumber for a single moment, and there never was a time when it was more requisite to be active than now. The Home Secretary had made strong professions of strict neutrality, but those professions were always connected with British interests. That was a most elastic phrase, and an hon. Gentleman opposite said that in spite of the Home Secretary, it was only an

euphemistic way of saying we must maintain the integrity of the Ottoman Empire. The noble Lord opposite (Lord Elcho) predicted that by July the Russians would be at Adrianople, and by the first week in August at Constantinople. What was meant by these confident predictions of the certain and early defeat of Turkey? It meant the protection of British interests. Before the Russians reached Constantinople the noble Lord would come down to the House and say that it would be better to stop them on the way than to have to dislodge them when they got there. [*Cheers.*] Yes, hon. Gentlemen opposite might cheer—they had a majority, but the minority had a considerable power of resistance, and he would warn the Government that he, for one, was prepared to remain at his post until Christmas, using every Form of the House for the purpose, rather than a shilling should be voted or a single British soldier should be sent to Turkish soil before the English people had declared it to be their will that men and treasure should be employed in propping up the worst Government the world knew under a pretence of protecting so-called British interests. He cordially agreed with the acknowledgment of the Prime Minister that in the policy which he was pursuing he was not backed by the country, and he hoped the country would in a very marked manner check the career of a Ministry whose policy might land England in one of the most disastrous wars that could possibly be undertaken. He protested against the supporters of Her Majesty's Government asserting that they were the only exponents of true patriotism and the only persons anxious for the maintenance of our Indian Empire; but he contended, on behalf of those who supported the Resolutions of the right hon. Member for Greenwich, for the simple principle that the interests neither of this country nor of India could be promoted by depriving other countries of that liberty and that good government and freedom from oppression which we regarded as our most precious birthright.

THE MARQUESS OF HARTINGTON: Mr. Speaker, I think that the hon. Member for Christchurch (Sir H. Drummond Wolff) has some reason to complain of the course which this debate has taken, because until the speech of my hon. and learned Friend the Member for Oxford (Sir William Harcourt) this evening, scarcely one hon. Member who has taken part in this debate has addressed himself to the question which is immediately before the House, which is that raised by the Amendment of the hon. Member. It is, in my opinion, worth while for the House to devote its attention for one or two minutes to the consideration of the issue which that Amendment raises. Whatever may be our opinions upon the Resolutions of my right hon. Friend the Member for Greenwich, I, for one, cannot assent to the Amendment which has been moved by the hon. Member for Christchurch. I think that that Amendment is inaccurate in its statement and inadequate as a declaration of the policy it is intended to express. The Amendment states that the House is unwilling to embarrass Her Majesty's Government in the maintenance of peace and in the protection of British interests, and I contend that if the two Resolutions which the right hon. Gentleman proposes to submit to the judgment of the House are moved, they are not calculated to embarrass Her Majesty's Government in the maintenance of peace or in the protection of British interests. And I further contend, as my hon. and learned Friend has pointed out, that if this Amendment is to be considered a summary of the policy of the Government it is inadequate as a statement of what that policy should be. "The maintenance of peace" is an inaccurate expression, because peace has not been maintained. If the expression refers to Europe, the words that should have been used were "the restoration of peace," and if it refers to England alone the words should have been "the maintenance of neutrality." But, however this may be, I say that the Amendment is an inadequate description of the policy which Her Majesty's Government ought to pursue, because it omits altogether any reference to that which has been throughout maintained to be the leading and cardinal point in the policy of the Government—namely, that some adequate reform should be effected in the Government of Turkey and that some adequate protection should be afforded to the subject-populations of the Turkish Empire. I maintain that the two Resolutions of my right hon. Friend which are immediately under the consideration of the House, point to the

true policy which ought to be that pursued by Her Majesty's Government. What do these Resolutions assert? They assert that the policy of which the celebrated despatch of the 21st of September was the most striking illustration, and which was supported by Lord Salisbury at the Conference, is a reality, and not a sham. Her Majesty's Government have asserted—and I have no doubt that they asserted it with perfect truth—that that policy was not adopted in deference to the demands of popular clamour, but was the result of their deliberate judgment under the changed circumstances of the times. If that be so—and I am willing to believe that it is—that is not a policy which Her Majesty's Government can think of taking up at one time and abandoning at another. I do not do Lord Derby or Her Majesty's Government the injustice of supposing that their policy was taken up merely in deference to popular clamour, or even to that of humanitarian and sentimental agitation. I believe that if that policy was adopted by Her Majesty's Government it was because Her Majesty's Government believed that it was a policy not only in accordance with right and justice, but was also a policy demanded by the true and real interests of England. But although most of us approved the tendency of that policy, some of us thought that it might have been worked out in a more active manner, and that it might have found its expression in action rather than in words only. But whatever may be the opinion of Her Majesty's Government upon that point, this, at least, they must concede—that, if the policy which they have sincerely and frankly adopted be the true one, then, in the words of my right hon. Friend in the second Resolution, "the Porte has lost all claim to receive either the material or the moral support of the British Crown." And further, Her Majesty's Government must also concede that these are principles which are to be acted upon, which are not adopted merely in deference to popular agitation, but which are to become the guide of their conduct for the future. The noble Lord the Vice President of the Council (Viscount Sandon), in commenting upon the speech of my right hon. Friend, asked why, after the strictures which he thought it right to make upon the conduct of Her Majesty's Government, he had not followed them up by moving a Vote of Censure upon them? Well, I have had an opportunity before now of stating what is my opinion of the rights and the duties of the Opposition. I think that among the few and scanty rights which belong to an Opposition is undoubtedly that of managing their own affairs in the best way they can. That is a right which, as far as I know, has been claimed by every Opposition, and I believe that numberless instances might be quoted to prove, if necessary, that it is not the invariable duty of the Opposition, even when they condemn the conduct of a Government, to formulate a Vote of Censure upon them. I will only refer to one instance in point, which I conceive bears not remotely upon the present case. Few things could have been more severely censured in the past by any Opposition than the conduct of the late Government in connection with the Black Sea Treaty. Even during the progress of the negotiations connected with that Treaty, and during the sitting of the Conference in London, Lord Cairns in the House of Lords, and Lord Beaconsfield in this House, thought it their duty very severely to call in question the conduct of the then Government, and never after the conclusion of that Treaty was an opportunity lost of sneering at, and severely censuring, the proceedings of the Government with regard to that Treaty. I do not, however, recollect that the Opposition of that day thought it to be their duty to move a formal Vote of Censure upon the Government. And the liberty which the Opposition of that day claimed for themselves is the liberty which we claim now; and, indeed, I consider that our case is a great deal stronger than was the case of the Opposition then. What was the chief charge which the right hon. Gentleman brought against the policy of the Government? It was not that they were absolutely wrong in direction, but that their policy had been ambiguous; at one time appearing to point in one direction, and at another time appearing to point in another direction. Would it, Sir, in these circumstances, have been prudent or wise on the part of the Opposition to have forced the House of Commons to come to a vote, the probable result of which would have been to strengthen the hands of those who were opposed to

us and to weaken the hands of those who were most disposed to agree with us. I suppose I must not say that there was any difference in the Cabinet, for that has been denied; but if, as we conceive, there were any difference of opinion in the minds of those who support the Government — if there were some who were anxious to commit the Government and the country to the active support of Turkey; and if, on the other hand, there was a Party which was desirous of setting the Government loose from all connection with Turkey, would it have been prudent, or patriotic in our view of the case, for us to force the House of Commons to come to a decision, the inevitable effect of which, both in this country and throughout Europe, would have been to strengthen those from whom we differed, and have weakened those with whom we agreed? But I trust we shall not hear very much more of the desire of the Government to meet a direct Vote of Censure. The Resolutions of my right hon. Friend, taken as a whole, as they were originally placed upon the Paper, although they did not constitute a Vote of Censure, were undoubtedly a Vote of Want of Confidence. What Government could accept a policy imposed upon them by the Opposition? These Resolutions constituted a Vote of Want of Confidence, and how did Her Majesty's Government propose to meet them? Not by a direct negative, not by an Amendment expressing confidence in Her Majesty's Government, but by assenting to the Motion of my hon. Friend the Member for Maidstone (Sir John Lubbock). Those who sat near me who thought it was inexpedient that these Resolutions as a whole should be brought forward, took shelter under the Motion of my hon. Friend, and Her Majesty's Government declined to meet a Motion which they had just admitted was a Vote of Want of Confidence by a direct negative. I hope, Sir, after these tactics we shall not hear much more of the chivalrous pugnacity of the Government, and their desire to meet a strong issue. If it had been deemed expedient to move a Vote of Censure, I do not think there would have been any want of ground for censuring Her Majesty's Government. I will not go back upon those protracted negotiations; but I must say that these Papers which have lately been issued seem to me to comprise everything which it was my duty to bring forward a month ago as to the negotiations respecting the Protocol. There is much in these Papers —I will not quote from them this evening —to confirm the view which I took then, that it was the ill-advised persistence of the Government in raising the question of demobilization which destroyed the last chance of peace in Europe. There is a great deal in these Papers to show that Russia was sincerely anxious to act in concert if it were possible. There is also a great deal to show that Russia was sincerely anxious to draw back if it were possible; there is a great deal to show that Russia would have drawn back upon certain conditions, which were frankly and plainly stated; there is much to show that she could not draw back in the face of the positive refusal of those conditions with which she was met. There is nothing to show that the Government were inveigled into a signature of the Protocol under false pretences. It has been asserted that the Protocol assented to by Her Majesty's Government in the interests of peace was subsequently used by Russia as an excuse for aggression. There is nothing in these Papers to support that allegation. The conditions which Russia required, involving some substantial commencement of reform, were frankly stated by Russia and were known from the beginning of these negotiations by Her Majesty's Government. They knew under what conditions—and under what conditions alone—was Russia prepared to disarm, and with that knowledge they signed the Protocol. If the Protocol was a document which the Government were able in honesty in and good faith to sign, I want to know why was it that they insisted upon raising that question of demobilization, why it was that they provoked the Russian Declaration—which has proved to be the immediate cause of the declaration of war? I maintain, Sir, that from the very outset the Government knew what were the conditions of peace. They had known that whatever they might be willing to do Russia was not willing to accept the mere promise of Turkey. The Government themselves assented to the justice of that position in the Conference. Nothing could have been stronger than the assertions of Lord Salisbury or Lord Derby himself that the promises of Turkey

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were not a sufficient guarantee to be relied upon. You knew that Russia was not prepared to accept promises alone; you knew also that Russia stood armed upon the frontier of Turkey, and, further than that, you traded upon it. What was the utmost degree of pressure you could induce yourselves to bring to bear upon Turkey? Why, that you would not support her. Not support her, against whom? Why, against Russia. It was war with Russia which, throughout the negotiations previous to and at the Conference, was always held out as a threat against Turkey. Yet, now that that has come to pass which you knew would inevitably come to pass in the event of Turkey refusing to meet the demands of Russia—that which you told Turkey would come to pass, that which you threatened Turkey would come to pass, that which you said you would not attempt to prevent coming to pass, do you think it wise or honest, or just or dignified, to turn upon Russia and reproach her for doing that which you have always known she would do, and which you told Turkey you would not prevent? Such has been some part of the policy of Her Majesty's Government. It was described in figurative language by the right hon. Gentleman the Secretary of State for the Home Department. The right hon. Gentleman said that the policy of the Government had been clearly and distinctly marked by two landmarks. What are those two distinct landmarks? The House will have observed that when Her Majesty's Government make a very positive declaration, it usually consists of a negative. One of these landmarks was, that they would not sanction a foreign Army in Turkey, and the other was that they would not sanction misgovernment in Turkey, and that if the Porte were obstinate in the matter, the responsibility would rest upon herself. Those are the landmarks of the Government, and they may have been very good for the past; but I want to know what guide they have for the present. Her Majesty's Government cannot consent to the introduction of a foreign army into Turkey. But a foreign Army is in Turkey. Her Majesty's Government would not sanction misgovernment in Turkey, but the misgovernment in Turkey continues. I want to know not so much what are the landmarks which have guided Her Majesty's Government, but what are the landmarks which are guiding Her Majesty's Government now. I think the landmarks up to this time are entirely submerged. An ardent defender of Her Majesty's Government, my right hon. Friend the Member for Tamworth (Sir Robert Peel), has also indulged in figurative language. At the conclusion of his animated speech he said Her Majesty's Government had placed the country upon a pedestal of pride and glory which had not been reached for a good many years. Well, Sir, we all know that a pedestal is not a very convenient basis of operations. But if we take the figurative language of my right hon. Friend the Member for Tamworth, and of the Home Secretary, and combine the two, we shall have a not very inadequate idea of the position in which Her Majesty's Government has placed itself. Britain seated on a pedestal, hopelessly and helplessly gazing upon the submerged landmarks of my right hon. Friend, constitutes a not very inadequate picture of the position of the country under the guidance of the present Government. I will refer now to the Resolutions of my right hon. Friend. A great deal has been said—and, in my opinion, a great deal has been very unjustly said—about the course my right hon. Friend has taken in this matter. He, I believe, would have been always perfectly satisfied if the first two Relutions, or any Motion equivalent to them, had been submitted to the House, either by myself, or by any of my hon. or right hon. Friends who sit around me. For reasons, some of which I have already stated, we most of us were not of opinion that it was desirable to compel the House to give a vote which would, in our opinion, have the effect, both in this country and in Europe, of strengthening the hands of the opponents of these principles. My right hon. Friend did not agree in that view; and when he felt himself bound to act alone in the matter, he naturally—and rightly, I think—developed in the Resolutions which he placed upon the Table the whole of the policy which he submitted in opposition to that of the Government. I will frankly state that in the whole of the policy which he so submitted I, and many of those who sit near me, were not able entirely to concur. With the policy developed in the third and fourth Resolutions we could not, at this time,

altogether agree. I believe that we agreed in all the objects which my right hon. Friend had set before himself, but we were doubtful as to some of the means by which he proposed to accomplish those objects; and the course which we took in regard to his third and fourth Resolutions was the least antagonistic which we could have taken, and that was to support the Motion of the Previous Question. But when my right hon. Friend found that there was no difference between us on the first and second Resolutions, he took the course not of withdrawing all his Resolutions, but of separating the policy indicated in the first and second from the policy contained in the third and fourth, and of inviting, as he now does, the judgment of the House upon his proposition in that shape. Well, Sir, there is the whole difference of opinion between my right hon. Friend and those who sit near him. With the whole of his objects we can cordially agree and heartily sympathize. There was some difference of opinion between my right hon. Friend and myself as to the expediency of challenging the direct vote of the House upon them at this time; but that was a difference of opinion of which neither of us has any cause to be ashamed. What were the objects of my right hon. Friend? As far as I understand, they were these three—In the first place, his object was to secure this country from the guilt and shame of being placed before Europe in the position of defender of the dominion of the Turks; in the second place, that this country should become, if it were possible, the active agent in giving freedom to the Provinces of Turkey and peace to Europe; and, in the third place, to guard British interests in the only way in which, in his opinion, they could be adequately guarded—namely, by making those interests identical with the interests of Europe, with the interests of peace, and with the interests of freedom, by detaching them from a state of things which, in his opinion, is not only corrupt, but rotten and immoral. What are the means which he sets before himself for the accomplishment of these objects? If the two Resolutions now before the House are passed, we shall at least be free from the danger of fighting again for the dominion of the Turks in Europe. I dare say I shall be told that there is no such danger. The old formula which used to be repeated, not on one side only, but on both sides of the House—the old formula that was in all our mouths not long ago—of the integrity and independence of the Ottoman Empire, no doubt, has not been much heard in this debate. But it has been replaced by a new one—by the formula about the protection of British interests. ["Hear, hear!"] Yes, I knew that the mention of British interests was likely to excite a cheer. I, like the hon. Gentleman who cheers, am quite ready to fight for British interests when it is necessary. But what I want to be clearly understood—and what I think it is the object of these Resolutions to bring distinctly before the House and the country—is, that British interests are not identical with the maintenance of the integrity and independence of the Ottoman Empire. There have been indications in this debate that in the opinion of some hon. Members, at least, British interests and the integrity and independence of the Ottoman Empire mean very much the same thing. I have heard references made to our traditional policy. Well, Sir, what is our traditional policy? Why, maintaining the integrity and independence of the Ottoman Empire. Therefore, when hon. Members talk about British interests and our traditional policy in the same breath, is it not reasonable to suppose that those hon. Members do desire still to adhere to the traditional policy of maintaining the integrity and independence of the Ottoman Empire? Then, Sir, the staple of many speeches which we have heard in this debate has been violent denunciation of Russia. Well, I want to know what that means. The hon. and learned Member for Sheffield (Mr. Roebuck), the right hon. Baronet the Member for Tamworth, the hon. Gentleman the Member for Christchurch, and a great many others, have made the great staple of their speeches the maintenance of British interests and denunciation of Russia. What is the meaning of that denunciation of Russia, and what has it to do with this question? I heard the hon. and learned Member for Sheffield say about British interests——

MR. ROEBUCK: I beg your pardon. I did not say any such thing. I did not say a word about British interests.

THE MARQUESS OF HARTINGTON: I thought the hon. and learned Member

said so. I can only say, if he did not, it is the only speech I ever heard from the hon. and learned Member into which British interests did not figure. But, Sir, it will not, I think, be denied that the great staple of many speeches from the other side have consisted largely of denunciations of Russia. Well, I want to know what we have to do with the conduct of Russia. I am told it is only in the spirit of fair play, if you hold up the misdeeds of Turkey to reprobation, that the misdeeds of Russia, who happens to be at war with Turkey, should also be held up to equal reprobation. But that is not an answer. What have we to do with the misgovernment of Russia? Are the internal affairs of Russia under the consideration of Europe? Are we prepared at present to interfere with the internal condition of Russia for the purpose of restoring the peace of Europe? Have we undertaken to redress the misgovernment of Russia? Have we undertaken to grant civil and religious liberty to Russia, and establish a system of constitutional government for Russia? Does the state of things in Russia constitute an European danger? ["Hear, hear!"] Some hon. Gentlemen opposite seem to think it does. But not even from the benches opposite have we heard that this country or that Europe should take into its consideration the internal affairs of Russia. Are you going to hold a Conference in St. Petersburg to decide what are the reforms that are necessary for Russia? Sir, I say we have no more to do with the internal affairs of Russia than we have to do with the internal condition of Central Africa; but, on the other hand, we have to do with the internal condition of Turkey. The internal condition of Turkey constitutes a danger to the peace of Europe. If it does not, what is the meaning of your Notes, your Memorandums, your Conferences, and your Protocols. If we have nothing to do with the misgovernment of Turkey, the whole course of your negotiations for the last 12 months or more amounts to nothing but an impertinent interference with the affairs of an independent and friendly State, with which you have no right to deal. Therefore, the answer that it is only fair to talk about the misdeeds of Russia when you talk of the misdeeds of Turkey is an answer that will not hold water for a moment. Then if this reason cannot be alleged for bringing forward denunciations of Russia, what is the reason? It is not an unfair inference to draw when one hears speeches in support of Her Majesty's Government which extenuate or, at all events, do not refer to the misgovernment of Turkey—speeches in which British interests are loudly talked of, and in which the misdeeds of Russia are loudly denounced—it is not an unfair inference to draw that those who deliver those speeches desire to make identical the interests of Britain with the fate and future of that country the conduct of which they extenuate, and to draw England into opposition, if not war, with the country whose misdeeds they so loudly denounce. I will now refer to the third and fourth Resolutions of my right hon. Friend. They point to the co-operation of Europe in the accomplishment of certain changes. What were those changes? Merely the effective development of local liberty and practical self-government. The noble Lord the Vice President of the Council (Viscount Sandon) treated all ideas of autonomy for the revolted Provinces of Turkey as an idle and impossible dream. Are those ideas of autonomy with the assistance of Russia so idle and impossible? Is Servia an idle dream? Is Roumania an idle dream? Is Greece an impossibility? And have those three nationalities not been established with the assistance and aid of despotic Russia? I believe that before the outbreak of these unfortunate disturbances Servia and Roumania, at all events, were enjoying a large measure of real and constitutional freedom and of real happiness and prosperity. I know it will be said that these nationalities are under the influence of, and are the subservient tools of, Russia. Why, of course, they are under the influence of Russia while the present state of things continues. With Turkey on the other hand ruling with an oppressive sway millions of their fellow-countrymen, and with Russia on the other hand which, with all her faults and crimes, does sympathize with and support the Slavs in their national and religious aspirations—is it not perfectly natural that these new nationalities should be under the influence of Russia? But extend those nationalities in the words of my right hon. Friend—extend

the development of local liberty and practical self-government to other Slav nationalities—and what reason have we to suppose that these enfranchised Slavs or Greeks will be any longer under the influence of Russia? If the influence of Russia is hostile to all liberty, whether civil or religious, is it likely that communities which have once tasted the benefits of real and practical self-government, will be drawn by any influence towards the despotic Government of Russia? But, under present circumstances, it would be a miracle if those nationalities were not attracted to Russia. The Resolutions of my right hon. Friend pointed, in my opinion, to the employment, if necessary, of force. Now, there was a time when I believe Europe might have interfered, and interfered with force, and that would have been the true and right policy, and the only one that could have averted war. But there is no argument which has been brought against us more frequently or with more success than that the intention of my right hon. Friend was to declare war against Turkey, except the argument that his intention was not to declare but to threaten it. My hon. and learned Friend the Member for Oxford has dealt with the question adequately, and, in my opinion, satisfactorily. I concur in every word that he has said; but I must say for myself that I believe there was a time, when the proposition of Russia was made, in September last, before the Moscow Manifesto, before the mobilization of the Russian Army, that Europe might have intervened, and intervened with force, without bringing about a war. At that time it would have been possible to have defined and limited both the objects, the mode, and the means of that intervention; and all that I have since heard and read leads me to believe that it would have been possible at that time so to limit the intervention. I do not believe that the employment of great force would have been necessary, or that any violent measure would have been necessary. I believe that a small display of force would have been necessary, but that would have been backed, and would have been known by the Turkish Government to be backed, by a reserve of force which would have made resistance on her part hopeless, and I do not believe it would have been met with resistance. Well, when I am asked whether the policy we have from time to time recommended, and which my right hon. Friend is disposed to recommend now, means a declaration of war against Turkey, I say that that never was intended. I say there was never a question of England, or of England in combination with Russia alone, declaring war against Turkey. If, on the other hand, I am asked whether it was possible that Turkey in her folly, in her madness, and her recklessness, might have declared war against Europe, I say that it was a possible contingency. But if Turkey had done so, would it have been called war? Could Turkey have made war against Europe, or would a struggle between Turkey and the combined Powers of Europe have been worthy to have been dignified by the name of war? My right hon. Friend still points to action of this character. In my opinion everything is now changed; war has broken out. The outbreak of war has changed the circumstances in every direction. I can conceive no prospect of such a combination amongst the Powers of Europe as was at that time possible. Germany is looking forward to the possibility of a campaign; Austria is engaged with her domestic affairs; France is contemplating the chances of a new invasion; England is looking to the Suez Canal and to India. I may be wrong; but I confess that these positions do not hold out such a prospect of combination as once was possible for the establishment of peace. We have been told that the first two Resolutions do not mean anything; but what is admitted? In my opinion they mean a great deal. The Government have adopted and professed a policy of strict neutrality. I believe that the country will support them in that policy. But, Sir, there never was a case of hostilities between Turkey and Russia in which sooner or later England was not in some way or other called upon to interfere. Sooner or later in the present case you will be called upon to interfere. Whenever that time comes, and in whatever way that intervention may take place, I say these Resolutions will form a guide for your conduct and policy. I maintain they will constitute a third landmark for your policy which will remain distinct and clear long after the Home Secretary's landmarks have been submerged. The Resolutions assert that

the Turks have forfeited all claim to moral or material support. Had the hopes of the Treaty of 1856 been realized; had Turkey become really one of the European family and shown the power and the wish to reform and to govern justly, it would have been different. But the progress she has made has been in a wrong direction altogether. Turkey has not advanced, the dominion of Turkey has not improved; and, on the other hand, in spite of all obstacles, the Christian populations subject to Turkey have advanced, and have progressed, and have shown that not they but their Rulers were to blame. Had Turkey shown any disposition to reform, and had Russia, in the pursuit of some selfish scheme of aggrandizement, attacked that youngest member of the European family, then I think it would have been our duty and the duty of Europe, under the Treaty of 1856, as parties to that Treaty, to have interfered in defence of that youngest member. What these Resolutions say, and what they mean is that that is not our duty now. I say that that does form a practical guide for our policy in the future. I do not want to anticipate what may occur; but one of three events must happen. The Turks may be able to maintain their ground against the attack of Russia, and in that case this weary work and these weary struggles will have at some future time to begin again. But I will not believe that the hopes of liberty and of nationality which have been excited in these Slav and Greek populations will be extinguished by one repulse. I think it was Byron who said that—

> "Freedom's battle once begun,
> Bequeathed from bleeding sire to son,
> Though baffled oft is ever won."

If the Turks maintain their ground against Russia, why then they will only have established their right to remain by the only right they ever possessed—namely, that of the sword, and the work will have some day or the other to be recommenced. But the more probable event is that your mediation will be asked for, and again you and the Powers of Europe may be called upon to intervene to put a stop to the war. In either of these results, I say, the Resolutions of my right hon. Friend will be your guide. Insist that there shall be no territorial aggrandizement of Russia, if you like, and insist on British interests; but by these Resolutions the means which were held to be indispensable for the accomplishment of that object are not held to be the indispensable means now. The maintenance of the independence and integrity of the Ottoman Empire is not now the sole means by which you can secure those objects which are considered indispensable to British interests. My hon. and right hon. Friends who sit near me have not shrunk from speaking of those interests; and I do not believe there is a Member sitting on these benches who is more indifferent to the maintenance of British interests than hon. Gentlemen who sit opposite. I do not quarrel with the definition of British interests given the other night by the right hon. Gentleman opposite, nor with the eloquent language in which the hon. Member for Mid-Lincolnshire (Mr. Chaplin) identified British interests with the interests of the world. But let the House not forget, rather let it admit, that a vast extension of British interests over the whole world may be a source of weakness rather than strength. Our strength abroad, as at home, consists, I believe, rather in defence than in attack. In India, as elsewhere, I believe our true policy consists in consolidating our dominion, in guarding our frontier, and not in being drawn by every idle rumour and every alarmist-pamphlet from a position of defence which is already strong. If it be necessary for the security of our Indian dominions that we should send forth armies to fight in Central Asia, or in Asia Minor, I believe we shall find the task, I will not say too great for us, yet one that will tax our powers to the uttermost; but if, for the security of our Indian Empire, it should be our fortune to contend against the forces of nature and against the laws of human progress, then I say we shall have undertaken a task that will prove beyond our powers of accomplishment. There is no power, I say, which can restore the sap and vigour to the lifeless trunk, and there is no power which can check the growth of the living although struggling tree. The Turkish domination is the lifeless trunk, the struggling nationalities are the living tree; and this House is asked to-night to assert that with these nationalities, and not with the remnant of a sad and shameful past, are the sympathies of the British nation and its destinies to be associated.

[*Fifth Night.*]

THE CHANCELLOR OF THE EXCHEQUER: Mr. Speaker, Sir, I think no one can wonder that at crises like the present, when events such as those which are now passing abroad are attracting the attention of Europe and of the world, those events should form the subject of a debate in the British House of Commons; and no one can say that a debate even of the length of that which is now drawing to a close is at all disproportionate to the magnitude of the interests involved or to the greatness of the questions which have been raised. But, Sir, I must frankly say for myself, as I believe I may say for a great many others, that while we have entirely recognized the justice and propriety of raising a debate upon this question at the present time, and while we admit that most of the speeches which have been made, and the sentiments which have been expressed, and the explanations which have been given in the course of the past week, have been well worthy of attention, we have, nevertheless, felt somewhat at a loss to know precisely what the issue was which had been raised for our decision. And in the course of the statesmanlike and far-seeing and very comprehensive speeches that have been addressed to us we have listened with some curiosity, and, I may add, with some disappointment, for a clear indication and description of the nature of the issue that is placed before the House. My hopes were raised when the noble Lord the Leader of the Opposition, at the commencement of his observations, drew our attention back from the wider field over which the debate had been travelling to the words of the Resolution which you, Sir, are about to put from the Chair. I thought the noble Lord would throw some light on the difficulties in which we found ourselves. The noble Lord, however, I am bound to say, rather added to, than diminished those difficulties. Undoubtedly, he had a perfect right when he described the policy of the Opposition in this matter to claim that they should be allowed to decide how they should manage their own affairs. We do not for a moment dispute that they have the most complete right to that local liberty and practical self-government which they have throughout the debate been so exceedingly anxious to magnify and enforce; but if we are to take an illustration of the working of that practical self-government from the proceedings of the great Party opposite during the last fortnight, I must say the illustration which they offer to us seems to me to be by no means one of the most satisfactory or encouraging. We are, in the first place, confronted with the great difficulty that we do not even know how many Resolutions are presented to our consideration. It is admitted that there is the widest possible difference between the first two Resolutions taken by themselves and when taken in connection with the two or three which follow. We are told by the noble Lord that, taking the whole series of five together, they amount to a Vote of Want of Confidence. It is stated, on the other hand, that if we take only the first two they are merely an expression of a policy which has already been adopted and already announced by the Government, and that there can be nothing in them in the nature of such a vote. That is a very clear and intelligible description; but we must know what is the alternative which is submitted to us. We were told in the first instance that the three latter Resolutions were withdrawn from our notice, yet that they were not at the same time put an end to, and they indeed formed the staple of the great proportion of the speeches, and certainly of the most animated speeches to which we have been listening. I must say they remind me of the illustration of a great Roman historian who describing the funeral of a lady who was the widow of Cassius and the sister of Brutus, tells us that when the images of her family were brought forth and paraded at the funeral, it was the images of Brutus and Cassius that created the greatest attention, because they were not allowed to be brought forward, but were kept in the background. In the same way my right hon. Friend's third and fourth Resolutions seem to have exercised so strong and potent an effect over the various Speakers in this debate, and even upon the noble Lord himself, that they felt compelled to enter upon a discussion of them. We are at the same time told, however, that we are not to consider them, inasmuch as they are no longer before us—that, as my noble Friend the Vice President of the Council (Viscount Sandon) very happily said the other day—assisted, I think, by my right hon.

Friend the Member for Greenwich himself—they are materially dead, although morally alive. The matter has been treated of by one of the parodists of the present day, who has been impressed with Wordsworth's great poem, *We are Seven*, and who shows that, notwithstanding the decease of three of them, there still remain four or five—

> "The first that died was Number Three,
> Then followed Four and Five;
> And naught but their vacuity
> Has kept the two alive.
> 'How many are there then,' I said,
> 'If only two survive?'
> The Statesman merely shook his head,
> And answered—'there are five.'"

But which of the two alternatives is the one submitted to us? Because, when we come to examine the question, it is of real importance that we should know whether we are dealing with the whole series or with two of them only. In reference to the manner in which we should meet them, we have been taunted by the noble Lord with meeting a Vote of Censure with "the Previous Question." I utterly deny that we did anything of the sort. The truth is, that it was a very peculiar piece of tactics which was adopted when the right hon. Gentleman the Member for Greenwich gave Notice of his Resolutions. When one Member of the united Party opposite gave Notice of the Resolutions, he was followed by another Member of that united Party—perhaps, a not undesigned coincidence—with a Notice that he should move "the Previous Question," and, in point of fact, that Notice was kept on the Paper by the hon. Member for Maidstone (Sir John Lubbock), and we were unable in consequence of its being kept there to move any other Resolution. ["Oh, oh!"] The hon. and learned Gentleman says "Oh;" we, of course, could have given Notice of a Motion, but we could not have moved it, because "the Previous Question" of the hon. Member for Maidstone took precedence. [*Cries of* "It was to be withdrawn."] Ay, you offered to withdraw it, but let us see when you offered to do so. The hon. Member for Maidstone kept the Question on the Paper, so that it was not possible to move any Amendment, until my noble Friend the Member for Haddingtonshire (Lord Elcho) put a Notice on the Paper without communication with anybody, indicating a policy which he was perfectly at liberty to submit to the House, but which was not one that could be adopted by the Government. Then you thought you had us in a trap, and that by offering to withdraw "the Previous Question," and getting my hon. Friend the Member for Christchurch (Sir H. Drummond Wolff) to withdraw his Notice to the same effect, you would force us to choose between your Resolution and the Amendment of my noble Friend the Member for Haddingtonshire. We did not dispute that these were good tactics, but we said we were entitled to meet them in our own way. But to turn from that point, let us see in what manner my right hon. Friend the Member for Greenwich presented his case to the House. I was a good deal struck by the way in which he put it. He said he had two objects in bringing forward these Resolutions. The first was to make the Government change its policy, and the second was to call upon them to clear up their policy, which he thought was ambiguous. My right hon. Friend has, I admit, been perfectly consistent, from the first moment when he began last Autumn to discuss this question up to the present time, in urging that policy which we have been equally consistent in refusing to adopt. He has always urged coercion. He has always urged in some form or other something more than words and words only from the day when, addressing his constituents at Blackheath, he suggested that British ships should go to prevent recruits coming from Asia to protect their Sovereign in Europe. They were, I think, to be British ships only. [Mr. GLADSTONE: I did not say British ships only, but that ships should be employed.] I think my right hon. Friend said that they were to be British ships and Russian troops. However, I, of course, accept the contradiction, and it does not modify what I was saying—namely, that my right right hon. Friend had always urged the use of force, while we have as consistently objected to the use of force. My right hon. Friend calls upon us to explain our policy, because he says it is ambiguous. Now, it is open to you to say that anything you dislike is ambiguous, and, of course, if hon. Gentlemen opposite say they do not understand what our policy is, they have a right to call upon us for explanations, and to call for them over and over again. But I

deny that there is any justice in saying that our policy is ambiguous. I say, on the contrary, that it has been distinct and clear. You may say that it ought to have been of a different character. That is a matter of opinion; but when you say it has been ambiguous, I would refer you back to the definition of my right hon. Friend the Home Secretary, which gave in better and clearer words what many of us have been saying from time to time in the course of the Session. We have said that we have always pursued a policy of insisting by counsel, by warning, by remonstrance, and by reproof upon the improvement of the Government of Turkey. On the other hand, we have said that we will not—because we do not think it right—have recourse to coercion to compel them. That may be in the eyes of some people a poor, unmeaning, and unsatisfactory policy, and we know we are met by the triumphant and crushing argument of the right hon. Gentleman the Member for the University of London (Mr. Lowe) that it has been unsuccessful. Sir, we do not deny that, speaking in the sense in which the right hon. Gentleman used the term, it might be fairly described as unsuccessful. I will not go into all the causes of that want of success. [*Ministerial cheers.*] I will not ask how far the conduct of others may have interfered to prevent our obtaining the success which we might possibly have otherwise achieved. I abstain from that line of argument. I am speaking of the policy pursued by other countries with whom we were obliged to act in this matter. I wish to lay all that aside, because I do not wish to open up any line of argument of a provocative character. But I will say this—that whether our policy was successful or not, we appeal to a higher standard than that of success or failure, and we ask whether, judged by the standard of International right or wrong, it was not a policy which it was right for us to pursue? My right hon. Friend is never tired of saying—and very justly—that we are in an especial manner responsible for the proceedings of Turkey—that we are interested in seeing that the Government of Turkey should be improved; and that it is our especial load on our conscience when such terrible things occur in that country because, as he truly says, we have supported Turkey, maintained her Government, and kept her alive for the committing these things. That is perfectly true; but there is another side still in looking at this question—the Government of Turkey might say a word for itself on this matter. Can we not imagine the Government of Turkey saying—"What have you done for us in times past? You have upheld us when we were quite as bad as we are now. You have fought for us. You have maintained us, advanced us money, encouraged us, allowed us to go on in what you call now our shocking and wicked way with little reproof and no interference. Are you now turning round and suddenly throwing us off, not only without a word of warning or counsel, but with words of insult and disdain?" I cannot conceive that any generous mind, looking back upon the connection of Turkey with this country for the last quarter-of-a-century, and even for a longer period, can avoid saying that we ought to abstain in all our dealings with her from all unnecessary use of harsh, violent, and cruel language. On the other hand, we say that it was our duty to the extent that we could push the matter to endeavour to put that unhappy country into a better train of government. That is an object which has always been before Her Majesty's Government. You talk of stirring up the country in consequence of the great excitement caused by the Bulgarian outrages of last May. But even before that period Lord Derby had given warning to the Porte that the time had gone by when Turkey could expect to receive the material support of England. What is the most terrible part of these outrages which have stirred the mind of the country so deeply? It is not the horrors enacted during that particular week or fortnight at any particular place, but it is the illustration they give of the condition of the country and of the deep-seated evils that affect it. We feel most strongly, and we have felt all through, that there was the evil, and until that evil could be removed, and unless it could be removed, there could be no hope for Turkey, and if there was no hope for Turkey, there could be no hope for peace, particularly in that part of Europe. What did we do? Did we neglect that state of things? Not at all. We exerted ourselves as well as we could by the use of that influence which by bloodshed 25 years ago and by a long

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series of communications in the past we had acquired to improve the condition of Turkey, to put our finger, if we could, on the most crying evils, and to remove the cause of that terrible state of things to which I have referred. We could not but see it was from the peculiar weakness of Turkey more than anything else that those things occurred. You may have a large number of barbarous and brutal people in Turkey as you may have in any imperfectly civilized country; but what you had to look to was the condition of the Government, its weakness, the cause of that weakness, and how it could be removed or modified. We endeavoured to find, and we thought by the inquiries we made we were able to find, remedies which were worth trying. We found by common consent in the evidence of those who could be relied upon that among the causes were the shortness of the tenure of office by Governors, the imperfection of the judicial system, the police system, and the revenue system, and if reforms could be carried out in these matters we might yet hope for the improvement of Turkey. We were not alone in these expectations; but they were shared by other Governments at the time of the Andrassy Note and the proposed Consular Convention, and even up to the Conference at Constantinople and the latest Protocol. I do not say that from time to time there were not proposals made by one Government or another, and especially by Russia, for the use of force and coercion; but up to the last Governments were maintaining that coercion was not the right course, and that reforms might be effected. If you look at the parting speech of General Ignatieff at the last meeting of the Conference, when he explained the meaning and object of Russia, you will see that that meaning and that object was not to enforce, but to advise that these steps should be taken under the eye of Europe. We believe, and we still believe, that was an experiment worth trying; that it was fair to have given Turkey, if she had not obstinately refused it, time to try to effect those improvements in her Constitution which had been pointed out to her under the eye of Europe, and to see if she fairly gave effect to them. Did she refuse? No; she did not refuse; but it is true Turkey failed to comply with the advice so earnestly pressed upon her in so disinterested a spirit by Her Majesty's Government. We do not defend Turkey for that; we admit with sorrow and without reserve that the attempt we made to induce her to assent to these reforms failed, mainly through the deplorable obstinacy of Turkey, and partly —for we ought to speak the truth in this House, without being afraid of the interpretation that may be put on our words —through the deplorable impatience of Russia. I do not wish to apologize for the errors of Turkey in the matter of the Conference, nor do I wish to say a word in the nature of reproach to Russia for what I consider her unfortunate impatience. The position of Russia was a difficult one; the pressure of the Slav element in her population was a pressure it was very difficult for her to resist. The firm and anxious wish of her Government, and especially of the Emperor, who has been so justly and honourably spoken of in this debate, and of whom I, for one, would speak with as much honour as any man who hears me, was, if possible, to avoid recourse to arms; but there were forces that were too strong for them, and they have entered into a conflict which they must carry on as they can. Having gone so far as this, we have arrived at a period when our past policy is a thing of the past, and we are asked what is to be our policy for the future. The noble Lord opposite has made merry over what he calls the submerging of our landmarks. True, the landmarks for the time are submerged because the tidal wave has broken in upon them; but we have other landmarks for the future, and my right hon. Friend the Home Secretary stated distinctly what they were. I do not know whether the noble Lord forgot them, or whether it was inconvenient for his argument to name them; but my right hon. Friend laid down these as our landmarks as clearly as any man in this House could desire. We are now face to face with a struggle which has been begun between two great Powers which may have consequences of a most material character, which may be most essential to us and Europe. They have entered upon that struggle against our advice, our earnest warnings and counsel. What is our position? We mean to stand neutral in that struggle—we shall observe a strict neutrality. The hon. and learned Mem-

ber for Oxford (Sir William Harcourt) asked what we meant by that. He said he was an advocate for strict neutrality, and illustrated what was meant by saying that he hoped and trusted that the Turkish Empire was about to be broken up. That is not exactly the strict neutrality we desire. When we say we desire to have neutrality we mean neutrality. The hon. and learned Member asked early in the evening if our attention had been called to a ship fitting up in our ports for the Turks, and our answer was that we were aware of it, and steps had been taken to prevent that ship from leaving this country until we have ascertained what our rights and duties as neutrals are. And so of any other matter that may come up, he may be sure that we shall take every precaution to fulfil our duty as a neutral Power properly and effectually. We lay that down as one of the landmarks we are obliged to lay down for ourselves. When we say this is a struggle that very possibly may not be confined in its progress or consequences to the parties principally concerned—that it may take an extended range which may involve us in consequences which this country, at any rate, cannot afford to disregard, we are told when we speak of British interests we use an ambiguous phrase, and are simply endeavouring to introduce an expression under the cover of which we may, if we please, carry this country into a war in alliance with Turkey. My right hon. Friend went a little further than what the noble Lord called asserting a negative. He endeavoured to sketch out to the House what, in a general way, might be considered specially the interests of England in the Eastern Question. I will say very little more than was said by my right hon. Friend. I will only point out that these are interests which we have in common with most other nations, and there are interests which may be considered more peculiar to ourselves. As regards the interests we have in common with other nations, I see no reason why we should put ourselves forward to fight for these alone, for which other nations may fight if they think it necessary. It is, of course, of interest to all South Eastern and Eastern Europe that the greatest possible freedom of trade and of navigation should prevail in these parts of the world. There are many other matters which are of interest to Europe generally; and I think we may feel confident that those nations which have closer interests than ourselves in these matters will take care at the time they think best and most convenient to protect their interests, which are after all the interests of the civilized world. If called upon, we shall not be found wanting in taking our part with those having common objects with us. But there are other interests, which are in a manner peculiar to ourselves. When I say peculiar to ourselves, I do not mean that we are the only nation concerned in them, but we are interested in them so specially that in a sense they may be said to be peculiar to us. I refer more especially to India. Now, our road to India—whatever that road may be—is of great importance to us. It is of great importance that that road should be kept open and safe. It is not a question of the invasion of India by great marches to be made from places at an immense distance, and through a very difficult country, with I do not know how many horses and cannons—these are not the points we have to look at; but you have to look to keeping open the direct line to India itself and see that it is not blocked or stopped. And we do attach very great importance to, and nothing will escape our vigilant attention which bears upon, the protection of the Suez Canal and Egypt itself in a minor, but still in an important degree. It is, in fact, easy to see many ways in which our interests may be affected, and it is equally easy to say that we are unable to foretell what points may possibly be challenged. We must wait and see. Of course, my right hon. Friend did not pretend to give an exhaustive list, but he indicated in a clear and distinct manner that our direct road to India should above all things be preserved. Now, Sir, I hope I have sufficiently indicated what the present policy of the Government is. We desire to maintain a strict neutrality. We desire to watch over the interests of England; and in the maintenance of these objects we desire to be vigilant, and at the same time not to be over-hasty. Care must be taken to keep everything in our eyes—to watch and to see everything, so as not to rush suddenly or prematurely against danger which, after all, may prove to be only imaginary; to act so as not to provoke a contest by unwise or hasty conduct on

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our part. I rejoice to think, Sir, that whatever may be the result of this debate as regards the Division we are about to enter upon, at all events one effect of the debate will have been very much to clear the mind of the country with regard to the actual position of this matter; for it is, in my opinion, of the highest importance that not only the House of Commons, but the country should be aware of the attitude which the Government recommend the country to take, and which the Government are willing to take, in connection with foreign nations. We are told—"Oh, you are speaking, you are writing, and taking steps of this kind and that kind, while other countries are maintaining a discreet and prudent silence." I do not know whether silence or outspokenness be the best policy in these matters or not, but this I know—in this country there is no choice. When we have come to such a time as the present there is no choice for us but to speak openly and frankly. We desire to have no concealments, no mystifications as regards either this House, the country, or foreign nations. It is said that we are alone. Well, I do not know whether other nations are or are not contemplating any similar action; but, at all events, we have been the first to express our opinion in unmistakeable terms, terms which I cannot acknowledge to have been properly described, as some speakers have described them, as "insulting" or "provocative." It is true we have been the first to express our dissent from the conduct which Russia has, unfortunately we think, thought it her duty to pursue; but when we did so, we only did that which it was our duty as Englishmen to do; and though it may be very convenient for hon. Gentlemen opposite to taunt us by saying that this was "a provocative despatch," and that it was "one of the worst conceived and most improper" that they ever remember, yet I have not made out whether to the mind of the Great Power to which it is addressed, or to the minds of other Great Powers, it will present itself in any such form. I think they will rather say that Her Majesty's Government, having adopted a particular line of policy, and impressed it upon the other Powers, showed that they were prepared to adhere to it. At all events, we have used no expressions against which any remonstrances can properly be made. We have said nothing that is not consistent with our perfect respect for Russia, while we have thought it our duty to protest and say that we cannot approve her conduct, and that she must not be understood as going forth as our Representative. The hon. and learned Member for Oxford, who is exceedingly ingenious in his arguments, has said—"How you condemn yourselves in that argument of yours about this despatch when you say it was necessary to write it in order that you might not be supposed to acquiesce in the policy of Russia! Other countries did not answer, and, therefore, you need not have answered." It has also been said, that by their not answering, therefore they must be supposed to approve of the policy which has been followed. I see, I confess, no significance in that argument. This I will point out—that we were in a special manner bound, and it lay more on us than on any other nation to write in this matter, because Her Majesty's Government was, as it were, the spokesman of Europe in these latter arrangements. It was very much in consequence of the arrangements going on between the British Government and the Russian Government that the Protocol was brought into existence. You condemn that Protocol in language which would lead one to think that the Protocol originated with us. It did not originate with us; the Protocol was the proposal of Russia, and embodied her views of an arrangement which, if it were accepted, would, she said, enable her to demobilize her Forces and to disarm. In that proposal there was not one word about force, and yet we are told that Russia from the first said that force and nothing but force would answer. The noble Lord opposite told us that we knew Russia would not accept promises only; but does he mean to say we were not to believe Russia when she told us that this Protocol would so far satisfy her that she would be willing to withdraw her Forces to give Turkey an opportunity of trying the experiment she was about to try? That was the language deliberately and voluntarily used by Russia, and in accepting the Protocol proposed by Russia we were not ourselves proposing anything in the nature of a sham but were accepting that which, even now, I believe was honestly proposed and intended by Russia as a means of putting

off the unfortunate struggle which we so much deplore. I believe I have touched upon nearly all that is necessary to refer to in this part of the debate. One word now as to the very able speech of the hon. Member for Liskeard (Mr. Courtney). No man who has spoken in this debate has put his points so neatly, or brought out his arguments more logically; but, at the same time, no man has produced arguments so little acceptable to what I believe to be the general sense of the House. The hon. Gentleman said—"I do not shrink from the argument which you use that coercion must mean war. I do mean war if necessary. I am prepared not only for war, but for dismemberment." The hon. Gentleman has the courage of his opinions, and he went on to say one or two things which from one point of view I was sorry he should have said, though it is not altogether unsatisfactory to us who hold a different opinion that such observations should come from so able an opponent. He went on to say that he recommended war because it would be "very easy and safe." He told us that there would be no risk, and that combining with the other Powers of Europe we could carry on such a war in safety. And then he proceeded to refer to the jealousies and dangers of quarrels which exist between the different Powers, and to ask, in effect—"Why do not you throw the carcase of Turkey to this great pack of dogs to prevent them fighting with each other?" That is the noble policy advocated by the hon. Member; and there can be no doubt that it was the logical conclusion of his speech. Well, we have been told that we might safely have joined with other Powers in threatening coercion, because, as some say, the application of pressure would have secured its object; and because, as others say, our force would have been so great as to secure the accomplishment of our object. But we already know something as to what it is to act with other Powers. Are there not some hon. Members here who remember what happened in the case of Mexico? We entered into an Expedition with others to that country in order to obtain certain results; but we had not gone very far, when it was found that one of our Allies had other objects in view with which we could not agree, and so the Expedition had to turn back. If in connection with this Eastern Question we had joined with other European Powers in coercion, might we not have found, after we had been fairly entangled, that we were mixed up with those who had other designs in view—that the improvement of the condition of the Bulgarians or the Bosnians was not the only object sought to be accomplished? In that case we should certainly have found ourselves in a difficulty which would have been of a very embarrassing character. I think we were prudent and wise in what we did, and that the country may congratulate itself upon the course we have followed. We have not entered into any alliance in this matter. We have kept ourselves perfectly free; so that in whatever position we may find ourselves—whether it be in connection with any settlement which I hope we may speedily be called upon to take part in, or whether it be in any other way—England shall be free to act for herself. I believe that the interests of England in this matter, though they may be in a certain sense selfish, are at the same time very unselfish—that is to say, they are interests which are not peculiar to herself, but interests which she has in common with all other countries. The interests of England consist in the maintenance of peace and prosperity throughout the world; and depend upon it, in whatever position we may find ourselves, and whatever may be the complications in which we may be placed, we shall pursue that policy which we believe to be alike good for this country and for the world at large, without fear and without reproach.

MR. GLADSTONE: Sir, I am not able to concur in the accuracy of the recital given by my right hon. Friend of the circumstances under which we arrived at the present debate. He has laid his version before the House; I will proceed to lay mine; it will be for others to judge between us. It will be admitted that I laid on the Table of the House a series of Resolutions containing matter which challenged the policy of the Government. Immediately there were given two Notices of Motion for the Previous Question; one by my hon. Friend the Member for Maidstone (Sir John Lubbock), and the other, at an earlier date—even in anticipation of the exact terms of my Resolutions—by the hon. Gen-

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tleman the Member for Christchurch (Sir H. Drummond Wolff). In moving the Previous Question, an issue upon the policy of the Government was distinctly declined; and my right hon. Friend now complains that he was prevented from enabling us, through an Amendment on the merits, to join issue with the Government in consequence of the conduct of the hon. Member for Maidstone, who only offered to withdraw his Notice of the Previous Question, when an Amendment, likely to be inconvenient to Ministers, had been announced by the noble Lord the Member for Haddingtonshire (Lord Elcho). That is an inaccurate statement. The hon. Member for Maidstone distinctly offered to withdraw his Notice of the Previous Question, in order to make way, either for the Amendment of the noble Lord the Member for Haddingtonshire, or for any other Amendment which would raise a practical issue. [*Cheers, and* "No, no!"] It is futile to question my statement. The words of my hon. Friend are in the recollection of many besides myself. I can further prove them by reference to what I myself at once said on hearing them. On hearing his words I rose in my place, and, considering the Notice of the hon. Member for Maidstone as virtually withdrawn, I asked my right hon. Friend whether he would use his influence to induce the hon. Member for Christchurch to withdraw his Notice, in order that the ground might thus be cleared. My right hon. Friend distinctly declined so to use his influence. [*Cheers, and* "No, no!"]

THE CHANCELLOR OF THE EXCHEQUER: The Notice of the noble Lord the Member for Haddingtonshire was on the Paper.

MR. GLADSTONE: Certainly it was. And what then? It was itself open to any Amendment you might move, if the noble Lord adhered to it; but who can believe that a Member so devoted as the noble Lord to the interests of the Government, would not have given way, as, indeed, he has now given way to the hon. Member for Christchurch? The fact, then, stands that the hon. Member for Maidstone was ready to give way; that the Government declined to ask the Member for Christchurch to give way; and that the statement of my right hon. Friend is not accurate. Finding, then, Sir, that my series of Resolutions was not to be allowed to be debated on the merits, but that I was to be smothered by the Previous Question, I certainly did in my own mind decide not to undergo such risks, without any compensating advantage whatever in prospect, as I might incur if I asked you, Sir, to put each of these Resolutions from the Chair; but to be satisfied with a decision of the House on the first of these Resolutions. It was that announcement which I made immediately before the debate began, extending, however, my intention to the second Resolution. This involved no change of opinion or proceeding whatever on my part as to the later Resolutions, but it relieved my noble Friend near me (the Marquess of Hartington), and others who objected to the later Resolutions, from any difficulty on that score; and as to the limited difference of opinion between us, which prevented my noble Friend from supporting my entire proposal, I need not attempt to describe or dwell upon it, for I can distinctly say that I accept without any qualification the account given by my noble Friend himself in his most able and manly speech.

It will not be possible for me, in the circumstances of this evening, to discharge the duty, which respect for hon. Members would make me anxious to discharge, of noticing the various and numerous references to myself, and to my speech on a former occasion, which have entered so largely into this debate. I am sure, then, that they will not ascribe my silence on any of these matters to disrespect. I must, however, say one word with regard to the speech of the hon. Member for Christchurch. I believe that in my reference to his declared sentiments I quoted him with perfect accuracy; but perhaps we do not agree on that subject. I do not refer to his speech now for the sake of discussing it; but he introduced into the debate certain rumours, which he seemed to have gathered in the streets, without the smallest semblance of authority, in regard to correspondence and conversations of mine. Those rumours were totally unworthy to be brought before this House, and were as pure trash as ever proceeded from the mouth of man. I hope my hon. Friend will in future be a little more particular as to matter which he thinks worthy to obtain the attention of the House, for I do not deem it de-

sirable that our time should be occupied by such trivial rumours, and by rather summary and strong denials such as I am obliged to give to them.

SIR H. DRUMMOND WOLFF: I rise to Order. I did not mention those statements at all as against the right hon. Gentleman. I said that those reports obtained currency, and I have heard them in every circle where the right hon. Gentleman is talked about. At the same time, I said I should not believe them unless they were confirmed by the right hon. Gentleman. I said, also, that the conduct of the right hon. Gentleman certainly gave a certain confirmation to the rumours.

MR. GLADSTONE: I do not understand in what sense that speech is a speech to Order. It really appears to me that as the rumours were mere rumours and utterly worthless, it was not convenient that refuse of that kind should enter into our discussions. I think it right also to refer to a point which was raised by a strong adherent of the Government, though he sits on this side of the House—I mean the hon. and learned Gentleman the Member for Stoke-upon-Trent (Dr. Kenealy). He stated that the course I had taken was one opposed to Parliamentary usage, and that it was not the practice of this House to advert to the proceedings of foreign Governments. My answer is, that on grave occasions it is, and always has been, the practice of the House so to do. Her Majesty, at the commencement, for example, of the Crimean War in March, 1854, was pleased to notice the conduct of the Emperor of Russia in a Message to this House, and in the Address from this House we animadverted severely on the aggressive spirit of the Emperor of Russia, and upon the danger which would attend the indulgence of that aggressive spirit. Her Majesty, on the occasion with which we are now dealing, introduced to us in like manner the conduct of the Turks who committed the Bulgarian massacres, in connection with the Eastern Question, in the Speech at the commencement of the Session. The House was thus regularly seized of the subject by the proper authority, and was perfectly entitled, in conformity with usage, to address Her Majesty upon it, either then or now. At that time we contented ourselves with a formal Address, and I now ask you to present an Address which is one of substance. One word more before I come to the general argument. The noble Lord the Member for Haddingtonshire touched me upon a point on which I confess I am guilty. He said that acres might be covered by my pamphlets, letters, and speeches on this subject. Sir, I must confess that I feel myself open to the rebuke, and I kiss the rod which the noble Lord presents to me; for I believe all my pamphlets, all my letters, and all my speeches on the subject would almost equal in their length the speeches delivered by the noble Lord himself on the Army Purchase Bill. I do not think it very desirable that these things should happen. I must plead the enormous difficulty of the question, its vast extent, and the necessity under which, in common with many more, I have felt myself to lie, of carrying on a popular action for the avowed purpose, under extraordinary circumstances, of modifying and influencing the action of Her Majesty's Government.

Now, Sir, the right hon. Gentleman the Home Secretary has referred to the recent expressions of popular opinion. I think he said that the meetings which have recently been held were meetings to order. Well, if they were meetings to order, I wonder whether, with all the influence of Her Majesty's Government, he could order some similar meetings. The Government does not commonly despise popular manifestations. On the contrary, in this and that Conservative association, and in the large gatherings and combinations of these associations, there is an incessant activity whenever it can be brought to bear. I suspect that if the right hon. Gentleman felt himself in a condition to obtain declarations from meetings in support of his view, he would not have spoken of those meetings as meetings to order. He cannot imitate; therefore he disparages. No doubt as to some of them—those connected with strictly Party organizations—you can call them meetings to order if you like. But many of them also were called in the regular way by the local authorities, and were they meetings to order? [An hon. MEMBER: Yes.] Then why did you not attend them? As you sometimes say that the heart and sentiment of the country is with you, why did not your adherents present themselves and overbear the

audacious minority, who have been, as you say, misrepresenting the country? If you complain of the mischief the meetings have done, why do you not, by demonstrations of your own, neutralize that mischief? At many of those meetings opposition was offered; but the sense of the meeting in support of the Resolutions was indicated by most overwhelming majorities. Do you really think that the gentlemen of Trinity College, Cambridge, met to order, for the purpose of petitioning this House? Why, the very Peace Societies of the country did not shrink from supporting, not one or two, but the whole of the Resolutions. I hold in my hand—I will not trouble the House with it now—an account of, I believe, some 300 meetings—a greater number than was held within the same time in the summer or Autumn, for they all were both prepared and convened in the course of about a week; and I have reports of meetings of societies devoted to the maintenance of peace who, notwithstanding, saw or believed they saw, in the policy of the Resolutions the only mode of making peace secure, or rather of restoring it now that it has been broken.

So much, Sir, for the manifestations of opinion. But my right hon. Friend the Chancellor of the Exchequer seems not quite to understand the issue which has been raised on this occasion; and the Home Secretary complained grievously that we had represented the Government as not being an united Government. Such a thing he thinks intolerable. Many things, however, are intolerable which, nevertheless, have to be borne, and in this case justly. Such a thing, he said, ought not to be done, unless evidence of the fact were forthcoming. Well, I have produced evidence; but the right hon. Gentleman took no notice of it whatever. I have already shown at the opening of this debate, in long, and I fear wearisome, detail, the conflict of speech with speech, of despatch with despatch. I have shown the conflict between Sir Henry Elliot and Lord Derby—no, Lord Salisbury—nay, but it is the conflict between Sir Henry Elliot and Lord Derby—there have been so many of those conflicts. The conflict between Sir Henry Elliot and Lord Derby turned upon the declaration of the Ambassador—that British interests were to determine the British estimate of the massacres in Bulgaria. Lord Derby, on the other hand, said that British interests could determine no such thing. He declared in manly terms that there were no interests which could justify the toleration of such enormities. This was very good and very fine. But time passed on. The echo of these words died away. Sir Henry Elliot has now the best of it. For the massacres are tolerated; the Turk refuses to punish them; and you are now refusing to complain of this refusal—refusing to adopt measures to to prevent their repetition, and condemning the only Power which has shown a disposition to adopt such measures. Our estimate of the massacres has gradually receded into the shade, while the maintenance of British interests is again, by the vote of to-night, to be placed in the foreground.

This conflict between the Minister and the Ambassador who served him was the first which I pointed out. I went on to point out many more. I will say that, although several Cabinet Ministers have spoken, not one of them has attempted to show that their several declarations are in harmony. I listened with satisfaction to several parts of the Home Secretary's speech, because it was evidently the speech of a man who spoke with manly sincerity. But the speech was of a spirit entirely at variance with the spirit of the despatch to Prince Gortchakoff, which was issued to us on the same day. The speech of the Home Secretary emphatically cast off the defence of Turkey. But that was not the case with the despatch to which I allude. My right hon. Friend says that the despatch is not regarded as hostile to Russia in the other European Courts; but it is somewhat remarkable that none of the other Courts have written any despatch of the kind to Russia. There can be no doubt, at any rate, of this—that when the Conference was sitting at Constantinople, Lord Salisbury was instructed to warn the Sultan that the consequences of a declaration of war with Russia would be on his own head. He did so warn the Porte. He charged upon it the entire responsibility of the consequences. But of what consequences? Only of those which could reasonably follow. Turkey could not be responsible for any consequences which might flow

from either the selfishness or the rashness of other Powers. War was the consequence intended, and intended as the probable and natural result of the refusals of Turkey. War has followed; and now Her Majesty's Government, forgetting all they had said about the responsibility of Turkey, denounce Russia as breaking a Treaty, as acting without any reasonable warrant, and in effect as responsible for the war.

In the reply to Prince Gortchakoff, we are told an entirely different story from the story told by Lord Salisbury at Constantinople. We are told that it was a mistake to suppose that the hope of obtaining reforms in Turkey through Turkish agency was an unreasonable one, and that they would probably be obtained by the exercise of patience and moderation. This is a flat contradiction of the whole basis upon which the proposals for the Conference, and the Conference itself, were arranged and carried through. With this contrariety of proceeding on the part of the Government, it is impossible that there should not be a theory raised to the effect that there were differences among its Members. When the speeches of Lord Beaconsfield are compared with the speeches and letters of Lord Salisbury, it is impossible not to see that they have not been dictated by the same spirit. The speech of the Home Secretary was, in certain respects, very satisfactory, and that of the Chancellor of the Exchequer had some similar features; but who can tell whether their declarations may not be qualified or reversed to-morrow? The Chancellor of the Exchequer has told the House what was thought of the Answer to Prince Gortchakoff in other countries, but he omitted to say what had been its effect in Turkey. In the newspaper which most faithfully and consistently represents in this country Turkish views, apparently pure and fresh from the fountain head, a telegram has recently appeared announcing from Constantinople that the Answer had at once revived the hopes of Turkey. It has brought back into the Turkish mind that most mischievous belief that she might rely upon England in the last resort. A telegram of to-day alleged that that most sage political body called the Turkish Parliament had thought it worth while to refer to this subject, and if that telegram be authentic, it is evident that the Answer of Lord Derby has drawn forth expressions of gratitude from Turkey. I wish to know whether that is an authentic telegram, and I am sorry not to witness any sign that it is otherwise. In these circumstances, Her Majesty's Government cannot be surprised when I say that a kind of dualism appears to me to pervade all their later policy The earlier policy, until after the close of the last Session, was nearly uniform in badness. Since it was changed, a good and an evil spirit seemed to be in constant struggle for the determination of its character. The result has been a constant shifting of aspects. It has been the policy of the double-minded man, unstable in all his ways. We ought, then, to make endeavours to clear that policy from ambiguity.

And, Sir, I must go a step further. These endeavours can hardly end with the present debate. For we believe we have with us the convictions of the country; and with this belief it is our duty to labour to give effect to those convictions in the action of the Government. Finding, then, Sir, an entire want of consecutiveness and consistency in the proceedings of the last six months, I naturally ascribe to this cause what has actually happened. It is this—that in all their purposes, from beginning to end, Her Majesty's Government have entirely failed. I will give you the shortest possible catalogue of them. When the Chancellor of the Exchequer first opened his lips during the last Session, he evidently spoke on behalf of the Government as a whole, and on this great subject he said, we intend to observe neutrality ourselves, and we expect it to be observed by others. What answer did Russia give to that declaration? She gave an answer by direct and palpable interference in the Servian War. My right hon. Friend's declaration was made on the part of the Government. We have been warned against those who are willing to use strong words, but are not willing to carry those words into effect. My right hon. Friend himself has repeatedly laid down the rule that you should never use strong language unless you are prepared to carry it into action. I can find very little in the history of the last six months on the part of Her Majesty's Government except successive instances of strong language, sometimes in favour

of Turkey, sometimes against Turkey, which has never yet, in either case, been carried into effect.

What was the first declaration of Her Majesty's Government from the mouth of the Prime Minister? That they desired and would endeavour to re-establish the *status quo* in Turkey. Do we hear now of the re-establishment of the *status quo* in Turkey? They were, next, to maintain the independence and integrity of Turkey. I am afraid that they have sacrificed a great deal of their own duty in order to maintain the independence and integrity of Turkey, and that they have shrunk from the redemption of honourable obligations which this nation has incurred; but have they maintained Turkey's integrity and independence? Turkey herself has something to say upon that subject. She says that in the Conference at Constantinople proposals were made which went directly against her integrity and independence. Nor was this the only blow you struck at her. On the occasion of the recent Protocol, she declared that by that Protocol her independence and integrity were violated and destroyed, and this she declared truly; for the surveillance, which by that Protocol you declared yourselves ready to establish over the government of her Christian subjects, was beyond all doubt fundamentally at variance with the independence of the Ottoman Government. Well, then, we were to maintain the Treaties of 1856. I want to know what became of the Treaty of Paris when the Protocol of last March had been signed? After that announcement of surveillance, which is interference, by the joint action of the Powers of Europe, what became of the Treaty of 1856, under which the Powers had formally renounced everything in the nature of a Treaty-right to interfere? Well, what were the other objects? Another object was to improve the condition of the Christians. But, Sir, their condition has never been so bad as during the last 12 months. Instead of its being improved, the passions of the dominant caste and the licence of the servants and agents of the Government have been let loose on the Christians without limit or restraint; and the first dawn of mitigation and alleviation in their condition, as to the Province of Bulgaria, has been since Russia set her Armies in motion; and yet we were always told by t
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Exchequer. My noble Friend near me has explained the amount of difference between himself and me in regard to a portion of these Resolutions. My noble Friend thinks, and I respectfully presume to differ from him, that the time has passed when the attempt to settle this matter by the authority of Europe could usefully and successfully have been made. I see no evidence which should bring me to that conclusion. I have spoken of the very remarkable expression of feeling in the country during the last few days. There are other indications which may prove more convincing to hon. Gentlemen opposite as they arise, in connection with local elections from time to time; but, for myself, I am bound to say I have been profoundly struck by the courage and promptitude with which the country has shown a disposition to recognize its entire obligations, and to look at the question in all its breadth. We have a minor and a major issue before us on this occasion. The minor issue, which appears to me valuable and necessary in itself, and which is also the first in order of the two, is set out in the first two Resolutions. The major is that which is principally contained in the fourth Resolution, and to which I feel myself unalterably attached. It cannot be too clearly understood that with regard to these Resolutions I withdraw nothing, and I alter nothing. If they are not put from the Chair successively, from first to last, that is a pure matter of form, and a very common method of procedure when the House has given a decisive verdict. Our duty and our honour, as I think, bind us to that which I have called the major issue. The major issue is this contingent coercion by united Europe, or by an adequate combination of European Powers, is the ligitimate weapon by which, and by which alone, we can reasonably expect to arrive at a safe and satisfactory settlement of the Eastern Question. My right hon. Friend committed a venial error in quoting a passage from a speech of mine on this point. I most distinctly stated in that speech, delivered on the 9th of last September, that in my view no settlement could be entirely satisfactory unless it was effected by measures taken on the part of united Europe. The noble Lord the Vice President of the Council (Viscount Sandon) spoke in this debate in a tone of which no one could complain, and with an ability which I am glad to see is hereditary in his family. He made a peremptory demand upon me. "Do you mean war? Do you mean war by England in concert with Russia? Let me have Yes or No—no other answer will suffice; and I demand an answer." He shall have one. My answer is, No. Here let me state at the outset that these Resolutions do not contemplate England's sole alliance with Russia. All the best arguments in favour of a combination with Russia imply that Russia should be placed in union with influences weightier in the aggregate and more powerful than her own. Such action as that I believe would be safe; but I am by no means prepared to say that the influence of England in sole combination with Russia would be of that entirely safe and satisfactory character. I, therefore, suspend any judgment on a question which really has not arisen. But I will meet the challenge of the noble Lord, although I might object to being put to say "Yes" or "No" to any question whatever. I think that was the form in which the people of France were called upon to vote their plebiscites. I might point out that I had been trained in an excellent political school, one of the fundamental maxims of which was that no one should be content with two courses, but should have at least three. I do not deny that coercion involves the possibility of war; but I say that history shows that coercion adequately supported and in a good cause, need not be followed by war. I hope the Under Secretary of State for Foreign Affairs (Mr. Bourke) has, after the speech of my hon. and learned Friend the Member for Oxford City (Sir William Harcourt), given up all attempts to maintain that Mr. Canning, in the case of the Greek Revolution, did not contemplate the use of force. Although the Treaty of 1827 did not use the word "force," yet in its additional Articles, it as plainly contemplated force as if the word had been actually employed. In the Instructions which were given to the admirals a few days after the signing of the Treaty, the implication was quite as clear; and again, in the further instructions which were subsequently given to the admirals, under the administration of Lord Goderich, and when Lord Dudley was still the Foreign Minister, the word "force"

was actually used. The battle of Navarino, although a result of the employment of force, was not war. Moreover, the battle of Navarino was not an engagement ordered by either Government. It was an unforeseen and in this sense accidental event, and was, probably on this account, called, in the King's Speech of 1828, an untoward event. Coercion by menace, justly and wisely used, need not lead to war. The whole of recent history is full of such examples of coercion. In 1832 there was coercion of Holland by the united action of England and France; while France took the citadel of Antwerp, England on that occasion blockaded the Scheldt. Another instance occurred in 1850, when Greece was compelled to submit to the principal claims of England in the case of Don Pacifico, by the undisguised use of coercion. I quote this case, not as believing in the justice of the claim, but it none the less sustains my proposition. Coercion was again, in 1853, applied to Greece to prevent her from taking any part—her action would, of course, have been adverse to Turkey—in the Crimean War. In 1860, too, in the case of Turkey herself coercion was used as a threat by England and the other Powers; and it was that threat of coercion which induced her to agree to the occupation of the Lebanon. Now, in not one of those four instances did there ensue a state of war.

Now, Sir, among the strangest fictions which have been adopted and propagated on the other side is one which has received the countenance of the First Lord of the Admiralty. He says, I think, that he cannot help admiring the "indomitable pluck" of Turkey. It is believed that the Turks of to-day are animated by a daring and head-strong valour, which will listen neither to reason, nor to fear. On what fact of history does this theory rely? Where are the proofs? Indomitable pluck! Most indomitable undoubtedly in destroying women and children in Bulgaria. Most indomitable in campaigns against the scarcely-drilled and scarcely-armed ploughmen and swineherds of Servia. But where, I would ask, is this indomitable pluck when Turkey has to meet the heroic soldiers of Montenegro, and is almost uniformly discomfited by greatly inferior numbers? In the course of years and of revolutions, almost every capital in Europe has been occupied by hostile troops, but Turkey has never waited for the occupation of her capital. Long before her enemy has reached Constantinople, she has taken care to make her peace. Therefore, from our whole experience of Turkey, it is an idle and visionary pretext to suppose that war between Turkey and united Europe, or war even between Turkey and any great combination of the Powers would have been the result of a threat of coercion. No country in the world is less troubled with the fever of chivalry than the Turkey of to-day. But, Sir, is there an united Europe? There is not, there never has been an united Europe; but only because you have prevented it. Russia said to Turkey —"You must." Austria was willing, and proposed, in the Autumn, that Europe should undertake coercion by naval operations, which she believed would be effectual. We have no evidence that France would have declined; but in November France had evidently become aware that England would have no coercion, and France then held aloof.

Another entirely arbitrary doctrine has been set up by the Chancellor of the Exchequer. He says that no country obtains any benefit from the use of foreign arms.

THE CHANCELLOR OF THE EXCHEQUER: I said that you cannot improve the Government of any country by the use of foreign arms.

MR. GLADSTONE: But if a country has a tyrannical Government and you substitute for it a free Government, you make what I think a very great improvement. This is not a matter only of opinion, to be bandied this way and that. I bring it to the test of history. Look abroad over the face of the world, and you will find that few are the nations which have, in recent times at least, established their own liberties without foreign aid. Liberty was established for Spain by England in the Peninsular War. The same was done for Belgium by France and England in 1830. The liberties of Greece and Italy were established by the aid of foreign arms; in the case of Italy by the arms, first of France and then of Germany. The liberties of Portugal were, if not established, yet preserved by Mr. Canning in 1826, and by the use of foreign arms. The liberties of the United States themselves were only established, at the date

when their emancipation took effect, by the powerful aid they received from foreign arms. That proposition vanishes entirely into thin air. So much, therefore, for the twin propositions—that coercion by Europe means war with Turkey, and that the liberties of a country cannot be established by the aid of foreign force.

I must, Sir, say another word on a subject, of the very name of which the House must be weary, the subject of the Treaty of Kainardji. I had hoped this matter was disposed of. But the hon. and learned Attorney General gallantly returns to the charge. Let me at once thank him for his goodness in withdrawing the words which he had inadvertently been led to use in reference to me when addressing his constituents. He paid me a compliment which I accept with pleasure, and I can in return assure him that I have sat in this House with satisfaction to hear him on a point of law, at that particular hour, too, of the night when other inducements are apt to draw us from our seats. I must, however, venture to say that in this case the hon. and learned Gentleman sets himself in face of all the authorities. I say there was before the Crimean War by Treaty a title in the hands of Russia, by means of which she was able to exercise a contingent power of interference on behalf of the Christians. I must press the importance of the evidence on the subject. I cannot admit that others than lawyers are unable to understand the plain language, which the hon. and learned Gentleman thrusts aside; while he dismisses the first living jurist on the Continent with the observation that he forgets his name, and substitutes for the original of the Treaty a translation which is not quite accurate. The Porte engages to protect the Christian religion and its churches; and it also gives a right of representation to the Russian Ambassador on behalf of a particular church. These are the two stipulations contained in the seventh article of the Treaty of Kainardji. The hon. and learned Gentleman holds that they are one stipulation. They are connected in the English version by the word "also." The word in the original Italian is *ancora:* and I can state on the highest authority that this word absolutely separates the two stipulations. It signifies not the application of something which has gone before, but the introduction of something altogether separate and apart.

As to the authorities, nothing can be brought against me except passages wholly insufficient at best for their purpose. Lord Stratford de Redcliffe has been quoted by the Home Secretary; the noble Lord, however, was not giving his own construction, but he was quoting the Article which referred to the subject. I say this not at a venture, but because it appears from the passage cited. It does not appear that he had read the Treaty. He says he is informed that only certainly Articles of it, which he names, refer to the subject. Evidently he proceeded upon information supplied to him by some gentleman of the Embassy. I grant that the Home Secretary cited a passage from a speech of Lord Clarendon, which seemed to deny that Russia had any rights in relation to the Christians at large. Lord Clarendon made that speech for himself, and after the war had broken out. But I have proved that when he expressed the views of the Cabinet in 1853, he admitted the possession of such rights by Russia; and, further, I am in a condition to quote the distinct evidence of Lord Russell, who says distinctly that the claims of Russia to the protection of the Christians were warranted by Treaty. He, too, was, I believe, writing as Foreign Secretary, in the name, and with the sanction of the Cabinet. Thus I am armed with the dicta of jurists, the testimony of historians, and the declarations of the responsible Ministers at the date of the Crimean War. Under these circumstances I must really hold that it was not reserved for the hon. and learned Gentleman to construe, in 1877, a grave historical and international document framed and applied in 1774. Mankind have not waited for the apparition even of such an Attorney General to come to an understanding on the sense of such a document. That most important instrument has received a construction long ago, and that construction it is a great deal too late to shake.

It stands, then, as proved that we destroyed certain powers of intervention which formerly existed on the part of the Christians. I say, then, by all means maintain, in your present position, a strict and honest neutrality; but do not forget the obligation of honour under which you placed yourselves towards the

subject-races of the Ottoman Empire when you took upon you to destroy the Treaty of Kainardji. Europe is now in a condition to judge what would be a fair arrangement between the parties. If such a fair arrangement were declined by Russia, we should stand in no worse position, but Russia would stand much worse, because she would have declined an arrangement coming from a competent and authoritative source; and instead of fighting to enforce the conclusions of Europe, would fight only to enforce her own. She would lose the moral weight and force of her position. If, on the other hand, Turkey were to refuse, then the Powers of Europe, by the very simple measure of establishing that naval cordon of which I have formerly spoken, would bring this war to an end in a fortnight. What, on the other hand, is the course we have taken? Hon. Gentlemen opposite cheered more loudly the declaration of the right hon. Baronet the Member for Tamworth (Sir Robert Peel) than anything else that has been said in the course of the debate. It appears he succeeded in touching a deeper and more sonorous chord than any other hon. Gentleman who has spoken on that side. It was when he denounced in unmeasured terms the aims and acts of Russia. But I think you will lay your account ill with human nature if you suppose that Russia is nothing else but a mass of deceit and corruption. I am not aware that the foreign policy of Russia has been, on the whole, worse and more ungenerous than that of the neighbouring Powers. The Emperor of Russia is a gentleman, a Christian gentleman, and a great benefactor to his people; and I believe the people of Russia to be as capable of noble sentiments as any people in Europe. In the government of Russia, however, in its official, military, and ruling classes, I am not disposed to place much confidence. Indeed, it was well said by the Duke of Wellington that we can hardly admit confidence in foreign Governments as a rule of action. With regard to the deeds of Russia in Poland, the Government of Lord Palmerston, of which I was a Member, pushed diplomatic remonstrances to the farthest point. We failed in those remonstrances; and if we stopped at that point, it must be remembered, that we could only act with others, that our means of action were equivocal; that our own title, and certainly our obligation to act under any Treaty might be questioned. But now the case is reversed. It is obligation arising out of our destruction of former Treaty rights that binds us with respect to Turkey. And now, Sir, I will suppose that we are engaged in a dialogue with Russia; and I wish to know what language we shall hold. Are we to say to Russia—"Because you have done evil formerly, you are not now to do good?" Are we to say—"Your hands are too deeply stained with blood; you are not fit for this holy work?" Surely Russia may and will reply—"Very good; but as the work is holy, as you have declared your own concurrence, your own zeal in regard to it, do it yourselves." And then our answer is, Sir—"No, though we wish it done, though we think it should be done, we will not do it ourselves, and if you undertake to do it, we will cavil, we will snarl at you." Is it possible to conceive a deeper humiliation than the adoption of the policy implied in such a course as this?

But I will now ask leave to suppose that another dialogue is likely to be held. This will be a dialogue between Russia and Turkey. When for a sufficient time they have poured forth each the other's blood, when the stock of Turkey's "indomitable pluck" is running low, some Ignatieff, ever on the watch for the *mollia tempora fandi*, may seize his opportunity, and invite a colloquy, Russia may ask of her antagonist—"Why should we two thus inflict damage and mischief on each other, when we might perhaps agree on something that may be for the good of both?" And Turkey might answer that really she did not very well know; but then there is the concert of Europe. Russia may rejoin—"I owe nothing to Europe. With great solemnity and show she arrived at her conclusions, declined to do anything to give them effect, and left upon me the care, the burden, and the charge. Nay, from one at least of the Powers, whose judgment I am striving to enforce, I receive only censure and condemnation." With equal justice Turkey might reply—"If you owe nothing to Europe, I owe less than nothing; and less than nothing to England in particular. She, beyond all others, has buoyed me up with false, delusive hopes; she, by her Fleets and

her Ambassadors, sometimes in audible language, sometimes in under-tones, when I was on the point of giving in, has led me to persist. She has buoyed me up, and led me on, and then left me to face you in the field alone. The traditions of the Crimean War are forgotten; the moral and even material support of 1875 and 1876 exist no more." "Let us then," both may conclude in chorus, "examine the matter from our own point of view, and determine upon some agreement which may be for own mutual benefit, let Europe, and let England, approve of it or not." It would not be difficult to indicate the particulars of such an arrangement. It is only from motives of prudence that I advisedly refrain; but I wish to press upon the minds of the majority of this House some idea of the dangers into which they may be carrying us. Suffice it to say, peace may be given to the East, and liberty to the Slavonic Provinces, and arrangements may be made about some other Provinces, and about matters other than territorial, as to which Europe may be indifferent, but which might leave England in hopeless and impotent dissatisfaction.

However, Sir, I well know that all this is vain, so far as the vote of to-night is concerned. You will not consent to vote that even the united authority of Europe ought to prescribe to Turkey her duty, and to require its fulfilment; nor that British influence ought to be used in favour of practical self-government for the disturbed Provinces of Turkey, although I have adopted the very phrase which was chosen by Lord Salisbury to express his meaning; nor that moral as well as material support can no longer be claimed by Turkey, although it has been shown how, by equivocal acts and conflicting declarations, we are running the risk of deluding that Power to her own heavy damage, and our not less serious discredit. Not even will you declare your just dissatisfaction with the conduct of the Porte in regard to the Bulgarian massacres, for fear it should embarrass Her Majesty's Government. And yet how can it possibly embarrass them, except by its tendency to make their sounding words into solid realities, and to bind them to do some effective acts in conformity with their professions?

However, such will be the way in which you will use your power. And without doubt your majority is powerful; but it is not omnipotent. Believing that we have the people of England with us, we may, we must, respectfully decline to yield to it a final obedience; we must use all legal and constitutional means to hold the Government to the better part of their declarations; to detach them from the worse, to avert calamity and disgrace, to induce a due regard to the national honour. This debate, I think, has done something to assist the prevalence of the healthier influences within the Cabinet. I must offer the Home Secretary a compliment which I know he will not, and he cannot, accept; we look upon ourselves as his allies. But we are engaged in a continuous effort; we roll the stone of Sisyphus against the slope, and the moment the hand shall be withdrawn, down it will begin to run. However, the time is short; the sands of the hour-glass are running out. The longer you delay, the less in all likelihood you will be able to save from the wreck of the integrity and independence of the Turkish Empire. If Russia should fail, her failure would be a disaster to mankind; and the condition of the suffering races, for whom we are supposed to have laboured, will be worse than it was before. If she succeeds, and if her conduct be honourable, nay, even if it be but tolerably prudent, the performance of the work she has in hand will, notwithstanding all your jealousies and all your reproaches, secure for her an undying fame. When that work shall be accomplished, though it be not in the way and by the means I would have chosen, as an Englishman I shall hide my head, but as a man I shall rejoice. Nevertheless, to my latest day I will exclaim: Would God that, in this crisis, the voice of the nation had been suffered to prevail; would God that in this great, this holy deed, England had not been refused her share!

MAJOR O'GORMAN: I shall only detain you five minutes. I merely wish to say—to make one observation, and it is with regard to the Bulgarian atrocities, and with respect to those who committed those atrocities. I think, Sir, that it is understood by this House that these atrocities were committed by the Bashi Bazouk troops. I want to ask this House who are the Bashi Bazouks? What are

the Bashi Bazouks? Twenty years ago, alas! I did know something of the Bashi-Bazouks, and we were all told at that time that the Bashi Bazouks were the scum of the Levant. The scum of the Levant is the scum of every portion of the Mediterranean; therefore it may be said as perfectly true that the Bashi Bazouks are the *crème de la crème* of the Levant. Now, I want to know the nationality of the Bashi Bazouks? We were told in those days they were composed of Spaniards, Portuguese, Welshmen—[*Laughter*]—Eh? [*Renewed laughter.*] I humbly beg pardon of my Welsh Friends—I meant Frenchmen, Hollanders, Prussians, Germans, Austrians, Hungarians, Italians, Greeks. There were also Maltese, Cretans, Cyprians by the thousand, Rhodians, Samians, and even Trojans. Were there any Russians there from Balaclava, Sebastopol, Simferopol, and Odessa? Yes, Sir, by the thousand. Well, Sir, these troops committed the atrocities which all Europe complained of. Who mustered these troops the next day? Who was the colonel of the regiment that paraded them? Was there no complaint from this country about them? Yes; but it was impossible to punish them, for not one answered to the roll-call of their names. We have never yet discovered who they are. I have not the slightest hesitation in saying that if these men were paraded in Wellington Barracks, there would be 75 per cent of them turn out to be Russian troops. I am perfectly certain of it. And those Russian troops were sent there by Alexander of Russia for the purpose of committing these atrocities. I can prove it as well as you can prove that they are Turks. Is it not true that for years the Russian myrmidons were sent into Bulgaria for the purpose of doing those things? Is it not true that the Russian troops were employed to fight against the Turkish troops without any declaration of war? I am perfectly certain that the vast majority of those troops who committed these massacres were Turkish troops; I mean Russian troops, paid with Russian money, and probably commanded by Russian officers.

Question put.

The House *divided*:—Ayes 223; Noes 354: Majority 131.

AYES.

Acland, Sir T. D.	Earp, T.
Allen, W. S.	Edwards, H.
Anderson, G.	Egerton, Adm. hon. F.
Anstruther, Sir R.	Errington, G
Ashley, hon. E. M.	Evans, T. W.
Backhouse, E.	Eyton, P. E.
Balfour, Sir G.	Fawcett, H.
Barclay, A. C.	Ferguson, R.
Barclay, J. W.	Fitzmaurice, Lord E.
Barran, J.	Fletcher, I.
Bass, A.	Foljambe, F. J. S.
Baxter, rt. hon. W. E.	Forster, Sir C.
Bazley, Sir T.	Forster, rt. hon. W. E.
Beaumont, Major F.	Gladstone, rt. hn. W. E.
Beaumont, W. B.	Gladstone, W. H.
Bell, I. L.	Goldsmid, J.
Biddulph, M.	Gordon, Lord D.
Blake, T.	Goschen, rt. hon. G. J.
Blennerhassett, R. P.	Gourley, E. T.
Bolckow, H. W. F.	Gower, hon. E. F. L.
Brassey, H. A.	Grey, Earl de
Briggs, W. E.	Grieve, J. J.
Bright, J.	Grosvenor, Lord R.
Bright, rt. hon. J.	Harcourt, Sir W. V.
Bristowe, S. B.	Harrison, C.
Brocklehurst, W. C.	Harrison, J. F.
Brogden, A.	Hartington, Marq. of
Brown, A. H.	Havelock, Sir H.
Brown, J. C.	Hayter, A. D.
Burt, T.	Henry, M.
Cameron, C.	Herschell, F.
Campbell, Sir G.	Hibbert, J. T.
Campbell-Bannerman, H.	Hill, T. R.
Carington, hon. Col. W.	Holland, S.
Cartwright, W. C.	Holms, J.
Cave, T.	Holms, W.
Cavendish, Lord F. C.	Hopwood, C. H.
Cavendish, Lord G.	Howard, hon. C.
Chadwick, D.	Howard, E. S.
Chamberlain, J.	Hughes, W. B.
Chambers, Sir T.	Hutchinson, J. D.
Childers, rt. hon. H.	Ingram, W. J.
Cholmeley, Sir H.	Jackson, Sir H. M.
Clarke, J. C.	James, Sir H.
Clifford, C. C.	James, W. H.
Cogan, rt. hn. W. H. F.	Jenkins, D. J.
Cole, H. T.	Jenkins, E.
Collins, E.	Johnstone, Sir H.
Colman, J. J.	Kingscote, Colonel
Conyngham, Lord F.	Kinnaird, hon. A. F.
Corbett, J.	Knatchbull-Hugessen, rt. hon. E.
Cotes, C. C.	Laing, S.
Courtney, L. H.	Laverton, A.
Cowan, J.	Law, rt. hon. H.
Cowen, J.	Lawrence, Sir J. C.
Cowper, hon. H. F.	Lawson, Sir W.
Crawford, J. S.	Leatham, E. A.
Cross, J. K.	Leeman, G.
Davie, Sir H. R. F.	Lefevre, G. J. S.
Davies, R.	Leith, J. F.
Delahunty, J.	Lloyd, M.
Dickson, T. A.	Locke, J.
Dilke, Sir C. W.	Lowe, rt. hon. R.
Dillwyn, L. L.	Lubbock, Sir J.
Dodds, J.	Lush, Dr.
Dodson, rt. hon. J. G.	Lusk, Sir A.
Downing, M'C.	Macdonald, A.
Duff, M. E. G.	Macduff, Viscount
Duff, R. W.	Macgregor, D.
Dundas, J. C.	Mackintosh, C. F.

M'Arthur, A.
M'Arthur, W.
M'Lagan, P.
M'Laren, D.
Maitland, J.
Maitland, W. F.
Marjoribanks, Sir D. C.
Marling, S. S.
Martin, P. W.
Massey, rt. hon. W. N.
Middleton, Sir A. E.
Milbank, F. A.
Monk, C. J.
Morgan, G. O.
Morley, S.
Mundella, A. J.
Muntz, P. H.
Mure, Colonel
Newdegate, C. N.
Noel, E.
Norwood, C. M.
O'Conor, D. M.
O'Conor Don, The
O'Donoghue, The
O'Shaughnessy, R.
Palmer, C. M.
Pease, J. W.
Peel, A. W.
Pennington, F.
Perkins, Sir F.
Philips, R. N.
Playfair, rt. hon. L.
Portman, hon. W. H. B.
Potter, T. B.
Price, W. E.
Ralli, P.
Ramsay, J.
Rashleigh, Sir C.
Rathbone, W.
Reed, E. J.
Richard, H.
Robertson, H.
Russell, Lord A.
Rylands, P.
St. Aubyn, Sir J.
Samuda, J. D'A.
Samuelson, B.
Samuelson, H.
Seely, C.
Sheil, E.
Sheridan, H. B.
Sherriff, A. C.
Simon, Mr. Serjeant
Sinclair, Sir J. G. T.
Smith, E.
Smyth, R.
Stansfeld, rt. hon. J.
Stanton, A. J.
Stevenson, J. C.
Stuart, Colonel
Swanston, A.
Talbot, C. R. M.
Tavistock, Marquess of
Taylor, D.
Taylor, P. A.
Temple, rt. hon. W. Cowper-
Torrens, W. T. M'C.
Trevelyan, G. O.
Vivian, A. P.
Vivian, H. H.
Waddy, S. D.
Walter, J.
Waterlow, Sir S.
Watkin, Sir E. W.
Whalley, G. H.
Whitbread, S.
Whitwell, J.
Whitworth, B.
Williams, W.
Wilson, C.
Wilson, Sir M.
Yeaman, J.
Young, A. W.

TELLERS.

Adam, rt. hon. W. P.
Kensington, Lord

NOES.

Adderley, rt. hn. Sir C.
Agnew, R. V.
Alexander, Colonel
Allen, Major
Allsopp, C.
Allsopp, H.
Anstruther, Sir W.
Archdale, W. H.
Arkwright, A. P.
Arkwright, F.
Ashbury, J. L.
Assheton, R.
Astley, Sir J. D.
Bagge, Sir W.
Bailey, Sir J. R.
Balfour, A. J.
Barne, F. St. J. N.
Barrington, Viscount
Barttelot, Sir W. B.
Bates, E.
Bateson, Sir T.
Bathurst, A. A.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Bective, Earl of
Benett-Stanford, V. F.
Bentinck, rt. hn. G. C.
Bentinck, G. W. P.
Beresford, Lord C.
Beresford, G. de la Poer
Beresford, Colonel M.
Birley, H.
Blackburne, Col. J. I.
Boord, T. W.
Bourke, hon. R.
Bourne, Colonel
Bousfield, Colonel
Bowen, J. B.
Bowyer, Sir G.
Brady, J.
Bright, R.
Brise, Colonel R.
Broadley, W. H. H.
Brooks, W. C.
Browne, G. E.
Bruce, hon. T.
Bruen, H.
Brymer, W. E.
Bulwer, J. R.
Burrell, Sir W. W.
Buxton, Sir R. J.
Callan, P.
Cameron, D.
Campbell, C.
Cartwright, F.
Cave, rt. hon. S.
Cecil, Lord E. H. B. G.
Chaine, J.
Chaplin, Colonel E.
Chaplin, H.
Charley, W. T.
Christie, W. L.
Churchill, Lord R.
Clifton, T. H.
Clive, Col. hon. G. W.
Close, M. C.
Clowes, S. W.
Cobbold, T. C.
Cochrane, A. D. W. R. B.
Cole, Col. hon. H. A.
Coope, O. E.
Cordes, T.
Corry, hon. H. W. L.
Corry, J. P.
Cotton, W. J. R.
Crichton, Viscount
Cross, rt. hon. R. A.
Cubitt, G.
Cuninghame, Sir W.
Cust, H. C.
Dalkeith, Earl of
Dalrymple, C.
Davenport, W. B.
Deedes, W.
Denison, C. B.
Denison, W. B.
Denison, W. E.
Dick, F.
Dickson, Major A. G.
Digby, hon. Capt. E.
Douglas, Sir G.
Drax, J. S. W. S. E.
Duff, J.
Dunbar, J.
Dyott, Colonel R.
Eaton, H. W.
Edmonstone, Admiral Sir W.
Egerton, hon. A. F.
Egerton, Sir P. G
Egerton, hon. W.
Elcho, Lord
Elliot, Sir G.
Elliot, G. W.
Elphinstone, Sir J. D. H.
Emlyn, Viscount
Eslington, Lord
Ewing, A. O.
Fellowes, E.
Finch, G. H.
Floyer, J.
Folkestone, Viscount
Forester, C. T. W.
Forsyth, W.
Foster, W. H.
Fraser, Sir W. A.
Fremantle, hon. T. F.
French, hon. C.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Gardner, J. T. Agg-
Gardner, R. Richardson-
Garnier, J. C.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Goddard, A. L.
Goldney, G.
Gooch, Sir D.
Gordon, Sir A.
Gordon, W.
Gorst, J. E.
Goulding, W.
Grantham, W.
Greenall, Sir G.
Greene, E.
Gregory, G. B.
Gurney, rt. hon. R.
Hall, A. W.
Halsey, T. F.
Hamilton, Lord C. J
Hamilton, I. T.
Hamilton, Lord G.
Hamilton, Marquess of
Hamilton, hon. R. B.
Hamond, C. F.
Hanbury, R. W.
Hardcastle, E.
Hardy, rt. hon. G.
Hardy, J. S.
Harvey, Sir R. B.
Hay, right hon. Sir J. C. D.
Heath, R.
Helmsley, Viscount
Herbert, H. A.
Herbert, hon. S.
Hermon, E.
Hervey, Lord F.
Heygate, W. U.
Hick, J.
Hildyard, T. B. T.
Hill, A. S.
Hinchingbrook, Visct.
Holford, J. P. G.
Holker, Sir J.
Holland, Sir H. T.
Holmesdale, Viscount
Holt, J. M.
Home, Captain
Hood, hon. Captain A. W. A. N.
Hope, A. J. B. B.
Hubbard, E.
Hunt, rt. hon. G. W.
Isaac, S.
Jenkinson, Sir G. S.
Jervis, Colonel
Johnson, J. G.
Johnston, W.
Johnstone, Sir F.
Jolliffe, hon. S.
Jones, J.
Kenealy, Dr.
Kennard, Colonel
Kennaway, Sir J. H.
King-Harman, E. R.
Knight, F. W.
Knightley, Sir R.
Knowles, T.
Lacon, Sir E. H. K.
Lambert, N. G.
Lawrence, Sir T.
Learmonth, A.
Lechmere, Sir E. A. H.
Lee, Major V.
Leggard, [illegible]

Legh, W. J.
Leighton, S.
Lennox, Lord H. G.
Leslie, Sir J.
Lewis, C. E.
Lewis, O.
Lindsay, Col. R. L.
Lindsay, Lord
Lloyd, S.
Lloyd, T. E.
Lopes, Sir M.
Lorne, Marquess of
Lowther, hon. W.
Lowther, J.
Macartney, J. W. E.
Mac Iver, D.
M'Garel-Hogg, Sir J.
M'Kenna, Sir J. N.
Majendie, L. A.
Makins, Colonel
Malcolm, J. W.
Manners, rt. hn. Lord J.
March, Earl of
Marten, A. G.
Maxwell, Sir W. S.
Mellor, T. W.
Merewether, C. G.
Mills, A.
Mills, Sir C. H.
Monckton, F.
Montagu, rt hn. Lord R.
Montgomerie, R.
Montgomery, Sir G. G.
Moore, S.
Morgan, hon. F.
Mowbray, rt. hon. J. R.
Mulholland, J.
Muncaster, Lord
Naghten, Lt.-Col.
Newport, Viscount
Noel, rt. hon. G. J.
Nolan, Captain
North, Colonel
Northcote, rt. hon. Sir S. H.
O'Beirne, Captain
O'Byrne, W. R.
O'Gorman, P.
O'Leary, W.
O'Loghlen, rt. hon. Sir C. M.
O'Neill, hon. E.
Onslow, D.
Paget, R. H.
Palk, Sir L.
Parker, Lt.-Col. W.
Pateshall, E.
Peek, Sir H.
Peel, rt. hon. Sir R.
Pell, A.
Pelly, Sir H. C.
Pemberton, E. L.
Pennant, hon. G.
Peploe, Major
Percy, Earl
Phipps, P.
Pim, Captain B.
Plunket, hon. D. R.
Plunkett, hon. R.
Polhill-Turner, Capt.
Powell, W.
Power, R.
Praed, C. T.
Praed, H. B.
Price, Captain
Puleston, J. H.
Raikes, H. C.
Read, C. S.
Rendlesham, Lord
Repton, G. W.
Ridley, M. W.
Ripley, H. W.
Ritchie, C. T.
Rodwell, B. B. H.
Roebuck, J. A.
Rothschild, Sir N. M. de
Round, J.
Russell, Sir C.
Ryder, G. R.
Sackville, S. G. S.
Salt, T.
Sanderson, T. K.
Sandford, G. M. W.
Sandon, Viscount
Sclater-Booth, rt. hn. G.
Scott, Lord H.
Scott, M. D.
Selwin-Ibbetson, Sir H. J.
Severne, J. E.
Shaw, W.
Shirley, S. E.
Shute, General
Sidebottom, T. H.
Simonds, W. B.
Smith, A.
Smith, F. C.
Smith, S. G.
Smith, W. H.
Smollett, P. B.
Somerset, Lord H. R. C.
Sotheron-Estcourt, G.
Spinks, Mr. Serjeant
Stanhope, hon. E.
Stanhope, W. T. W. S.
Stanley, hon. F.
Starkey, L. R.
Starkie, J. P. C.
Steere, L.
Stewart, M. J.
Storer, G.
Sykes, C.
Talbot, J. G.
Taylor, rt. hon. Col.
Tennant, R.
Thornhill, T.
Thwaites, D.
Thynne, Lord H. F.
Tollemache, hon. W. F.
Torr, J.
Tremayne, J.
Trevor, Lord A. E. Hill-
Turnor, E.
Twells, P.
Verner, E. W.
Walker, O. O.
Walker, T. E.
Wallace, Sir R.
Walpole, rt. hon. S.
Walsh, hon. A.
Warburton, P. E.
Ward, M. F.
Waterhouse, S.
Watney, J.
Watson, W.
Welby-Gregory, Sir W.
Wellesley, Colonel
Wells, E.
Wethered, T. O.
Wheelhouse, W. S. J.
Whitelaw, A.
Williams, Sir F. M.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wilson, W.
Wolff, Sir H. D.
Woodd, B. T.
Wroughton, P.
Wyndham, hon. P.
Wynn, C. W. W.
Yarmouth, Earl of
Yorke, hon. E.
Yorke, J. R.

TELLERS.

Dyke, Sir W. H.
Winn, R.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Resolved, That this House declines to entertain any Resolutions which may embarrass Her Majesty's Government in the maintenance of peace and in the protection of British interests, without indicating any alternative line of policy.

MR. GLADSTONE said, he gave Notice to move the second Resolution in order that it might be amended, and the sense of the House taken upon it; but at that time a Notice of the Previous Question was standing. Since that time the position had materially changed, and the House had adopted by a large majority words which declared its intention and disposition not to entertain any Resolution of the nature of those which he had proposed. Under those circumstances he was inclined to think, although he was in the hands of the House, that it would be more respectful to the majority of the House that he should not move his Resolution.

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty for the year ending on the 31st day of March 1878, the sum of £5,900,000 be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported *To-morrow*;

Committee to sit again upon *Wednesday*.

FACTORS ACT BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Factors Act.

Resolution *reported*: — Bill *ordered* to be brought by Sir JOHN LUBBOCK, Sir JAMES M'GAREL-HOGG, Sir CHARLES MILLS, and Mr. WATKIN WILLIAMS.

Bill *presented*, and read the first time. [Bill 168.]

PIER AND HARBOUR ORDERS CONFIRMATION (NO. 3) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to confirm a Provisional Order made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Carnarvon.

Resolution *reported*:—Bill *ordered* to be brought in by Mr. EDWARD STANHOPE and Sir CHARLES ADDERLEY.

Bill *presented*, and read the first time. [Bill 166.]

SAINT STEPHEN'S GREEN (DUBLIN) BILL.

On Motion of Sir MICHAEL HICKS-BEACH, Bill to vest Saint Stephen's Green, Dublin, in the Commissioners of Public Works in Ireland; for maintaining and regulating the same as a public park; and for other purposes, *ordered* to be brought in by Sir MICHAEL HICKS-BEACH and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented*, and read the first time. [Bill 167.]

House adjourned at half after Two o'clock.

HOUSE OF LORDS,

Tuesday, 15th May, 1877.

MINUTES.]—PUBLIC BILLS—*First Reading*—Oyster and Mussel Fisheries Orders Confirmation (73), and *referred* to the Examiners; Married Women's Property Act (1870) Amendment * (74); Norfolk and Suffolk Fisheries,* and *referred* to the Examiners.

Second Reading—High Court of Justice (Costs) * (36), *discharged*; Public Libraries Act (Ireland) Amendment * (65).

Committee—Settled Estates * (49); Solicitors Examination, &c.* (52-76).

Report—South Africa (67-77)

Third Reading—Removal of Wrecks * (59).

SOUTH AFRICA BILL.

(*The Earl of Carnarvon.*)

[NO. 67.] REPORT OF AMENDMENTS.

Amendments reported (according to Order).

On Motion of Earl of CARNARVON, Clause *added*, after Clause 48—

(Appropriation, &c. of provincial revenue.)

"It shall not be lawful for the council of any province to adopt or pass any vote, resolution, address, or law for the appropriation of any part of the provincial revenue, or of any tax or impost, to any purpose that has not first been recommended to the council by the chief executive officer."

On Motion of Earl of CARNARVON, to Clause 63 after ("Union") Proviso *added*—

("Provided always, that no Act of the said Union Parliament shall extend or be construed to extend to take away or abridge the undoubted right and authority of Her Majesty, her heirs and successors, upon the humble petition of any person or persons aggrieved by any judgment, decree, order, or sentence of the said General Court of Appeal, to admit his, her, or their appeal to Her Majesty in Council from any rule, judgment, decree, order, or sentence upon such terms and securities, limitations, restrictions, and regulations as Her Majesty in Council, her heirs and successors, shall think fit.")

THE EARL OF CARNARVON moved to insert, after Clause 69, a clause empowering Her Majesty in Council to authorize annexation to Cape or Natal of territories in South Africa, forming part of Her Majesty's possessions, but not already included in either Colony. The noble Earl said the main object of the Bill was to secure a Confederation of the British Colonies in South Africa by their own consent; but the time at which the desired union might be effected might be more or less distant; and in the meanwhile there might arise a pressing necessity of making provision for the good government of territories which were under the dominion of Her Majesty, although not included in the proposed union. Though on the previous evening he had had the satisfaction of announcing to their Lordships satisfactory intelligence in reference to the annexation of the Transvaal, still the state of things was necessarily such that it was desirable to take every precaution. For this reason he had thought it advisable to frame the clause which he now proposed; but the clause contained a provision that no Proclamation for such annexation should be issued until the Legislature of the Colony to which territory was to be annexed should have passed a law providing that the particular territory should become part of the Colony. He might add that within the last fortnight the Legislature of Cape Colony had passed a law in favour of the union of Griqualand with that Colony. The Bill, therefore, as it now stood provided for the admission into the Union of any Colony, State, or Territory applying to be admitted; next, it

would give power for the annexing of territory to Cape Colony or the Colony of Natal; and, lastly, it gave power to divide the Union into such provinces, with such names and boundaries, as the Queen might direct. He might observe that there was now before Parliament a large volume of Papers on this subject covering the transactions of 1876, and dealing with the delicate relations which during the whole of that time had prevailed between the Dutch State of the Transvaal and the Zulus on its eastern frontier. He hoped it would be in his power shortly to produce a shorter, but not less important, volume, which would carry on the history of the war from the beginning of 1877 to the present date; and this volume would also contain the authority under which Sir Theophilus Shepstone had acted. As soon as there was sufficient matter for the House to pronounce an opinion upon, it should be laid upon the Table. He thought it right to observe that he had noticed that a question had been raised whether the annexation of the Zulu country was likely to follow upon the annexation of the Transvaal. There was no wish whatever on his part for any such annexation—on the contrary, he should strongly deprecate it. The time would doubtless come when it would become necessary; but, for the present, he would sooner trust to the gradual influence of British laws and civilization under the reasonable sway of England, so as to make the border safe—and he considered that the risk of our being compelled under existing circumstances to take over the Zulu country was lessened rather than increased by the annexation of the Transvaal, because the real danger and difficulty had arisen from the frequent encroachments of the Boers upon the Zulu territory.

Moved to insert, after Clause 69, new Clause—

(Power to Her Majesty to authorize annexation to Cape or Natal of certain territories.)

"It shall be lawful for the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, to authorise the Governor for the time being of the Cape of Good Hope or of Natal, by proclamation, to declare that the whole or any portion or portions of any territories in South Africa forming part of Her Majesty's possessions, but not already included in either of the last-mentioned colonies, shall be annexed to and form part of such colonies or either of them, and the said territories or portions shall be annexed accordingly; provided always, that no such proclamation shall be issued until the Legislature of the colony to which such territories are to be annexed shall have passed a law providing that the said territories shall become part of the colony."—(*The Earl of Carnarvon.*)

THE EARL OF KIMBERLEY approved the clause. He presumed that if Her Majesty's Government contemplated annexing the Transvaal to one of the two Colonies now organized in South Africa, that step would not be made before it was ascertained that such annexation would be agreeable to the feelings and wishes of the Dutch inhabitants. He was glad to hear that Griqualand was likely to be annexed to the Cape Colony, and he rejoiced to hear from his noble Friend that he did not regard the annexation of Zululand to the British dominions as a desirable measure. We had enough of South African territory on our hands at present—especially with the most recent annexation—and it would be a real misfortune if we should have to interfere with the independence of the Zulu tribes. Zululand was inhabited by a singularly independent and warlike race; but under the admirable management of Sir Theophilus Shepstone our relations with that race had long been of a most friendly character. There was a large independent territory between Cape Colony and the Colony of Natal, and he thought it quite possible to preserve friendly relations with the inhabitants of that territory without interfering with their independence.

Clause *agreed to*, and *inserted* in the Bill.

THE EARL OF CARNARVON said, he would take that opportunity of answering a Question which was put to him the other evening by his noble Friend (the Earl of Belmore), who asked why there was not in this Bill some power to the Governor to issue moneys out of the Treasury; and his noble Friend said he asked that Question in consequence of a difficulty which had occurred in New South Wales. The facts of that case were, that in the Constitutional Act of New South Wales there was a clause which required that all public moneys should be issued upon the warrant of the Governor, it having rested in the Treasurer. A Vote was passed in the Parlia-

ment which was not strictly in accordance with the law; and his noble Friend who was at that time Governor of New South Wales, exercised his discretion by not issuing his warrant. That was objected to by his Ministry. His noble Friend referred the matter to this country, and he was supported by the Government of the day. The difference between the two cases was this—that in that case there was a clause requiring the warrant of the Governor, while in this Bill there was no such clause; and therefore the difficulty which arose in New South Wales could not arise in South Africa.

THE EARL OF BELMORE said, that his Question was how, there being no such clause in this Bill, the public moneys would be issued? as they must be issued by some authority. If not by the warrant of the Governor it must be by some other officer, otherwise the moneys could not be paid out of the Treasury.

THE EARL OF CARNARVON apprehended that there would be no difficulty, as they could be issued by oral instruction.

OYSTER AND MUSSEL FISHERIES ORDER CONFIRMATION BILL [H.L.]

A Bill to confirm an order made by the Board of Trade under The Sea Fisheries Act, 1868, relating to Falmouth—Was *presented* by The Lord ELPHINSTONE; read 1ª, and *referred* to the Examiners. (No. 73.)

MARRIED WOMEN'S PROPERTY ACT (1870) AMENDMENT BILL [H.L.]

A Bill to amend the Married Women's Property Act (1870)—Was *presented* by The Lord COLERIDGE; read 1ª. (No. 74.)

House adjourned at a quarter past Six o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 15th May, 1877.

MINUTES.]—WAYS AND MEANS—*considered in Committee—Resolution* [May 14] *reported.*
PUBLIC BILLS—*Ordered*—*First Reading*—Consolidated Fund (£5,900,000) *.
Second Reading—Public Works Loans * [145]; Public Works Loans (Ireland) [139].
Select Committee—Ancient Monuments * [16], *nominated.*
Committee—Universities of Oxford and Cambridge (*re-comm.*) [113]—R.P.
Committee—Report—Married Women's Property (Scotland) * [41-169]; Quarter Sessions (Boroughs) [144].

PRIVATE BUSINESS.

DERBY CORPORATION (EXTENSION OF BOROUGH, &c.) BILL (*by Order.*)

CONSIDERATION.

Bill, as amended, *considered.*

MR. MEREWETHER said, the Bill proposed to take into the borough of Derby the hamlet of Litchurch having a population of 15,000 and four other hamlets, and also to include this large district within the district of the Derby School Board, although it was amply provided with schools, and if included would be subjected to a considerably increased rate. The 11th section of the Education Act of 1873 gave to any such district a right to say whether it would be so annexed or not. The clauses which were objected to were inserted by the Committee at the instance of the Education Department; and the House, upon the matter being brought before it, had referred the Bill back, after a debate and division, to the Select Committee for the purpose of omitting those clauses, or, at any rate, re-considering them. The Committee had re-considered them, and reported that they saw no reason for making any alteration in the Bill. That decision was one which he thought the House would not concur in. He therefore moved to leave out Clauses 42 to 46, inclusive.

Add the following new Clauses, to follow Clause 41:—

(Borough school board.)

"Until such time after the commencement of this Act as the Education Department shall issue an order for uniting any one or more of the constituent parts of the added area to the school district of the existing borough, such constituent parts of the added area shall not be included in the school district of the borough, and, when such order is issued, the school district of the existing borough shall be enlarged accordingly."

(Until school district extended school board rate to be borne by existing borough.)

"In estimating the borough rate to be levied in the borough, the Corporation shall charge the expenses of the school board for the time being

payable out of the borough rate exclusively upon the existing borough, or upon the existing borough and such part or parts of the added area as may be included in the school district of the existing borough under any order issued by the Education Department by virtue of this Act (as the case may be), and the Corporation are hereby empowered to vary the borough rate accordingly."

(Portions of parishes included in extended area to be school districts.)

"So much of each of the several parishes, townships, hamlets, or places following (that is to say):—

The hamlet or township of Litchurch, in the parish of Saint Peter, Derby;
The hamlet or township of Little Chester, in the parish of Saint Alkmund, Derby;
The township of Markeaton, in the parish of Mackworth;
The township of Littleover, in the parish of Mickleover;
The township of Normanton, in the parish of Saint Peter, Derby;

as is by this Act added to the existing borough and existing sanitary district, shall in each case respectively be taken to be for all the purposes of the Education Acts 1870 and 1873 a parish by itself, and the ratepayers thereof may meet in vestry in the same manner in all respects as if they were the inhabitants of a parish; every such meeting shall be deemed to be a vestry, and save as provided by 'The Elementary Education Act, 1870,' be subject to the Act of the fifty-eighth George the Third, chapter sixty-nine, and the Acts amending the same, and, subject as aforesaid, shall be summoned by the persons and in the mode prescribed by the Education Department, and the overseers of the whole parish shall be deemed to be the overseers of any such part of a parish."

Clause (Borough School Board,)—(*Mr. Merewether,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. HIBBERT, Chairman of the Committee to whom the Bill was re-committed, said, that no additional evidence had been brought before them, either by the opponents or the promoters of the Bill. The Committee had not been actuated by any pressure from the Education Department, and he claimed for Committees on Private Bills their right to insert or reject such clauses as the circumstances and the facts justified them in adopting or rejecting. After hearing the evidence given by the gentlemen of the Education Department, the Committee could come to no other conclusion than that it was undesirable to insert in the Bill such provisions as the Cardiff and Stafford clauses; and no other clauses were proposed. He thought the question ought not to be viewed as one of school boards or of voluntary school management simply. When they had an opportunity of extending a borough care should be taken that within proper limits the local government should be kept in the same hands for all purposes. There were several anomalies connected with this subject with which the House would be asked before very long to deal. The clauses which it was proposed to insert, although a little less objectionable than the Stafford and Cardiff clauses, would not, in his view, meet the case, and therefore he opposed their insertion in the Bill.

MR. BALFOUR, as a Member of the Select Committee, supported the proposal to insert the new clauses, as he wished to see the borough extended without destroying the administrative freedom of Litchurch. He protested against too much of departmental interference in the self-government of different localities.

MR. M. T. BASS, as representing the borough of Derby, remarked that that borough had been made a battle ground between the Education Department and the Chairman of Ways and Means. It was immaterial to his constituents which way the matter was determined, as long as the Bill was passed; but his personal conviction was that the course recommended by the Committee was a very sound one.

THE CHANCELLOR OF THE EXCHEQUER said, he had advised the reference back to the Committee, because they did not appear to have considered themselves quite free to examine the clauses proposed by the Education Department, but that reference was not to be considered in the nature of an Instruction to the Committee. They had taken the evidence of the Department, and had sent the Bill back unaltered; and now the House had to consider the matter upon its merits. He thought the question was one of too much importance to be decided by clauses in a Private Bill; and as the hon. and learned Member for Chatham (Mr. Gorst) had a Public Bill before the House dealing with the same subject, he thought the wisest course would be to omit clauses from 42 to 46 inclusive, and thus throw the parties back upon the existing law. That, he

believed, would be a solution of rather a difficult question.

MR. W. E. FORSTER said, if these clauses were inserted they would infringe upon, and to a certain extent repeal, the Act of 1870. He hoped the House would follow the suggestion of the Chancellor of the Exchequer, which, he understood, the Chairman of Committees was quite willing to accept.

MR. RAIKES explained that this controversy had been originated not by him but by a former Chairman of the Committee of Ways and Means. His object in supporting the clauses was to secure harmony in the proceedings of the various Committees. The suggestion of his right hon. Friend the Chancellor of the Exchequer to omit Clauses 42 to 46 inclusive, which the Committee had inserted on the suggestion of the Education Department, would commend itself to the House, and their omission would not damnify the Department. He thought that the Committee should have shown more respect to the opinion which the House indicated on the last occasion, and that if they could not adopt these clauses they should have accompanied their decision by a statement of the reasons on which they acted. He considered that the clauses proposed by his hon. and learned Friend the Member for Northampton (Mr. Merewether) would be a great improvement.

SIR GEORGE CAMPBELL expressed his concurrence in the proposal of the Chancellor of the Exchequer. He thought it was a full justification of the Committee for not accepting the decision of a fortnight ago, as forcing upon them the views of the Chairman of Ways and Means.

MR. SCLATER-BOOTH expressed concurrence in the view of the Chancellor of the Exchequer.

MR. PELL moved the adjournment of the debate, in order that further time might be afforded for the full consideration of the new proposals suggested by the Chancellor of the Exchequer.

MR. J. G. TALBOT seconded the Motion for adjournment. The best course would be to adjourn the matter, in order that it might be thoroughly understood by both sides of the House.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Pell.*)

The Chancellor of the Exchequer

MR. EVANS hoped that the House would accept the very reasonable proposition of the Chancellor of the Exchequer, which had taken away the only bone of contention. There would be no advantage in adjourning the debate.

MR. HEYGATE avowed his inability to make out what would be the effect of the Chancellor of the Exchequer's suggestion.

MR. MEREWETHER said, the effect of the proposal of the right hon. Gentleman would be to lead to a long lawsuit. If it were the wish of the House he would consent to the adjournment of the debate; but should the contrary opinion prevail he had no option but to accept what the Chancellor of the Exchequer had suggested.

THE CHANCELLOR OF THE EXCHEQUER observed that the clauses which the Committee had inserted in the Bill were now fought on the question of the construction of the general law, and he thought it would be better not to embarrass the Bill with the consideration of that question. The House was now in a position to decide whether it would complicate the question of the construction of the general law by the introduction of those clauses into the Bill, and no advantage would be gained by an adjournment.

MR. HIBBERT, while assenting to the proposal of the Chancellor of the Exchequer, suggested an alteration of Clause 52.

MR. BERESFORD HOPE remarked that the House had three or four cross issues to deal with, and the only rational thing they could do now was to adjourn the matter.

Question put.

The House *divided*:—Ayes 152; Noes 183: Majority 31.—(Division List, No. 121.)

Original Question put, and *negatived*.

MR. MEREWETHER moved to leave out Clauses 42 to 46, inclusive.

Clause 52, page 19, line 2, to leave out from "years," to end of Clause.

Amendments *agreed to*.

Bill to be read the third time.

QUESTIONS.

CRIMINAL LAW—HANDCUFFS—CASE OF THOMAS YARWOOD.—QUESTION.

MR. HOPWOOD asked the Secretary of State for the Home Department, Whether his attention has been called to the case of Thomas Yarwood, of Knutsford, auctioneer's clerk, arrested there on or about the 23rd ultimo, and charged with being drunk and assaulting the police, kept there that night, and removed in handcuffs the following morning to Altrincham, and there sentenced to two months' imprisonment with hard labour; whether the removal to Altrincham or the handcuffing was justifiable; whether the man was wounded and ill-used by the police to the extent that the doctor in the prison in consequence, after sentence, advised that he was unfit to undergo hard labour; whether Yarwood requested an adjournment to prepare his defence and it was refused; whether there is not evidence now forthcoming that the man was not guilty of the offence; and, whether, considering that local feeling is greatly aroused on the subject, he will deal with the case by inquiry, or otherwise, at once?

MR. ASSHETON CROSS, in reply, said, his attention had been called to the case alluded to by the hon. and learned Member. He had no reason to think that the treatment of the man was illegal in any way. He had more than once expressed his own opinion that handcuffs ought never to be used except when absolutely necessary to prevent escape. In the present case he did not think there had been the slightest necessity for using them. He must also say that, while there could be no doubt that the man had committed an assault upon the police, he had suffered more violence than was absolutely necessary and than was justifiable. The magistrates informed him that every opportunity had been given to the prisoner to produce witnesses and have his case properly defended. The prisoner had called one witness, but the evidence had not satisfied the magistrates, and the charge had been substantially proved. In the circumstances of the case, he had, after communication with the magistrates, decided that one-half of the sentence should be remitted.

GROCERS' LICENCES (SCOTLAND)—APPOINTMENT OF A COMMISSION.

QUESTION.

MR. M'LAREN (for Sir ROBERT ANSTRUTHER) asked the Secretary of State for the Home Department, If he will state the nature and extent of the inquiry which he has intimated that he intends to institute regarding grocers' licences in Scotland; also when and where the Commission will sit?

THE LORD ADVOCATE, in reply, said, that the Commission would be issued without delay—at least without any further delay than was necessary for the purpose of communicating with those gentlemen whom it was proposed to make members of the Commission. The terms of the Order of Reference to the Commission had not yet been adjusted; but he might say generally that they would embrace all those matters connected with grocers' licences which had been put forward in the recent discussion of the Bill of the hon. Baronet (Sir Robert Anstruther). As to the places where the Commission would sit, he thought that was a very proper matter for the Commissioners themselves to determine in the course of their inquiry.

FISHERIES (SCOTLAND)—APPOINTMENT OF A ROYAL COMMISSION.

QUESTION.

VISCOUNT MACDUFF asked the Under Secretary of State for the Home Department, Whether, considering the time which has elapsed since the Royal Commission on the Sea Fisheries in 1863, and the persistent complaints of the Scotch Fishermen since that Commission, and considering also the unsatisfactory results of the Herring Fishery in the Firths of Scotland, and notably in the Moray Firth and the Firth of Forth, he will cause an inquiry into the whole subject to be made by a Royal Commission, or otherwise; and, whether he will undertake to do so without delay?

SIR HENRY SELWIN-IBBETSON, in reply, said, the Home Secretary was not prepared to make an inquiry into the effect of all the legislation which had taken place on this subject; but, looking to the complaints that had been made since the Sea Fisheries Commission sat in 1863, he was prepared to grant an

inquiry into those complaints and those fisheries. That inquiry, however, would not be confined to the sea fisheries on the Scotch coast, but would extend to those of the whole of Great Britain. With regard to the last part of the Question, the Home Secretary was desirous of causing the inquiry to be made without any unnecessary delay.

RUSSIA AND TURKEY—ENGLISH SHIPPING ON THE DANUBE.

QUESTION.

MR. T. E. SMITH asked the Under Secretary of State for Foreign Affairs, Whether any steps have been taken, or instructions sent to Her Majesty's Consuls, with a view to protect the large amount of British capital invested in river craft in the Danube, under a belief that the management of the navigation of that river was in the hands of the European Commission?

MR. BOURKE: Sir, I can answer the hon. Gentleman's Question in the affirmative. Representations have been made by Her Majesty's Government to the Porte on the subject, and, in consequence, the Porte has given orders to the Commander-in-Chief on the Danube that as many facilities as are possible shall be given for the protection whilst in transmission up and down the Danube of vessels belonging to British subjects. Representations have also been made to the Russian Government respecting the detention of vessels, and such further instructions will be given to Her Majesty's Diplomatic Consular Agents as may appear to Her Majesty's Government, after consultation with the Law Officers, to be necessary for the protection of British interests.

CENTRAL ASIA—TASHKEND.

QUESTION.

MR. C. B. DENISON asked the Under Secretary of State for Foreign Affairs, If the Foreign Office has received from the Indian Government, or otherwise, any confirmation of the telegraphic news (from Berlin) published on Saturday last, of the Russian Government having assembled a large military force in Tashkend for offensive operation in the district of Pamir. The said district comprising on the west the sources of the Oxus and its tributaries, and on the east and north the mountain passes of Yarkand?

MR. BOURKE: In reply to my hon. Friend the Member for the West Riding, I need hardly remind him that Her Majesty's Government have no Agents in these quarters. The Foreign Office have, therefore, no means of communicating with the district; but I have made inquiries at the India Office, and they have heard nothing of the alleged movement of troops in those parts.

PALACE OF WESTMINSTER—CARRIAGE SHELTER.—QUESTION.

SIR WILLIAM FRASER asked the First Commissioner of Works, Whether he will provide shelter for the carriages of Members of this House in one of the courts of the Palace of Westminster?

MR. GERARD NOEL: Sir, early in the Session my attention was called to the matter referred to in the Question of the hon. Baronet, and upon inspecting the various courts of the Palace of Westminster, I found it was impossible to provide shelter for the carriages of Members without causing the greatest inconvenience and confusion in those courts, and, I might add, annoyance to the persons who have residences in the Houses of Parliament. If you covered over one of the courts it would hold a very limited number of carriages, and would not, therefore, justify the expenditure which would have to be incurred. In these circumstances, I cannot entertain the proposal of the hon. Baronet.

EDUCATION DEPARTMENT — SCHOOL BOARD, ATTLEBOROUGH.

QUESTION.

MR. COLMAN asked the Vice President of the Council, Whether the attention of the Education Department has been called to the fact that at the recent triennial election of the Attleborough School Board a candidate having been duly nominated and returned at the head of the poll, the returning officer refused to declare him elected, on the ground that he had absented himself during six successive months from the meetings of the Board going out of office; and, whether such refusal is according to law?

VISCOUNT SANDON: We have received a letter from a gentleman at

Attleborough informing us that he was duly nominated for the school board of that place, and was returned at the head of the poll, but that the returning officer refused to declare him elected on the ground that he had absented himself for six successive months from the meetings of the board then going out of office. We are advised that we have no power to decide in such a case, and that the question whether such refusal is according to law must be decided by the ordinary tribunals.

THE MAGISTRACY — WELSHPOOL BOROUGH JUSTICES.—QUESTION.

MR. MORGAN LLOYD asked the Secretary of State for the Home Department, If he will inquire whether it be true that, on the third instant, one Albert Jones, aged eight years, was committed to Montgomery Gaol by two of the Welshpool Borough Justices, to be kept on remand until that day, on a charge of stealing twenty-four shillings—bail being refused; whether, as stated by the boy's mother to one of the Visiting Justices, she was, on the 10th instant, requested to induce her husband to vote for the Conservative candidate at the now pending election, and declined to do so because her boy was kept in prison; and, whether, on the following day, the boy was released by an order signed by one of the committing magistrates on the express stipulation that the boy's father would vote for the Conservative candidate?

MR. ASSHETON CROSS: I have no information on this subject, and I do not believe a word of it. Till I receive some positive assurance on which I can rely as a foundation for the fact, I certainly shall not feel it my duty to interfere.

MR. MORGAN LLOYD said, he would show the right hon. Gentleman a letter from one of the Visiting Justices which would bear out the facts indicated in his Question.

PARLIAMENT — ARRANGEMENT OF PUBLIC BUSINESS.

Motion made, and Question proposed,

"That the Notices of Motion be postponed until after the Order of the Day for the Committee on the Universities of Oxford and Cambridge Bill."—(*Mr. Chancellor of the Exchequer.*)

MR. GOSCHEN asked the Secretary of State for War whether, as the Universities Bill was to be proceeded with that evening in Committee, it would not be for the convenience of hon. Members generally that the discussion of the Amendments relating to Clerical Fellowships should be deferred?

MR. GATHORNE HARDY said, by the kindness of his hon. and learned Friend the Member for Marylebone (Mr. Forsyth) his Amendments to Clause 17 would not be brought forward till after Whitsuntide, and he proposed to postpone Clause 18, so that both could be discussed at the same time.

SIR COLMAN O'LOGHLEN wished to enter his protest against the encroachments that were being made on the rights of private Members by the postponement of their Motions in favour of Government Business. He did not see why the time occupied in the important discussion of the Eastern Question, on the Resolutions of the right hon. Gentleman the Member for Greenwich, should be made a ground for asking private Members to give up their time to compensate the Government, who ought to be very glad that it afforded them an opportunity for securing by a large majority the Vote of Confidence they had so long wished for. He would willingly concede the present day if Her Majesty's Government proposed to take any important Business of a pressing character; but the Bill which it was proposed to take was, in his opinion, not one of such a character as to justify the Government in asking private Members to give up their rights in order to make way for it. It had already occupied a considerable time and could not be disposed of to-night. He also objected to the form in which the thing was now done. Formerly it used to be a matter of private conference with the Members concerned—now it was done by a Motion of the Chancellor of the Exchequer postponing the Notices.

THE CHANCELLOR OF THE EXCHEQUER said, the present proposal was not made in consequence of Monday having been taken up in the discussion of the Resolutions of the right hon. Gentleman the Member for Greenwich. What he had stated with regard to Monday was that in the event of the Government giving it up, they would be driven to propose either to take to-

day for the Universities Bill or to propose an abridgment of the Whitsuntide Recess. The right hon. and learned Gentleman was, he understood, willing to respond to the appeal of the Government; and as he had not given Notice of the Motion he intended to move, he could not have moved it to-night, whatever the Government Bill brought forward might be.

SIR COLMAN O'LOGHLEN said, he told the Secretary of the Treasury that he would be willing to give way if the Government wanted the night for any pressing Public Business. He did not regard the Universities Bill in that light.

THE CHANCELLOR OF THE EXCHEQUER said, he would not dispute with the right hon. and learned Gentleman whether the Universities Bill was a measure of more or less importance. At all events, it was one of the Government measures of the Session, and until it was got out of the way they could not proceed with the Business which the right hon. and learned Gentleman wished to see expedited. The Government must take one thing at a time; and it was not from indifference to the claims of Irish or Scotch Business that they had thought it better first to finish the Committee on the Universities Bill.

SIR CHARLES W. DILKE could not forget that in the last Parliament there was a combination on the part of Members opposite to prevent the Government from taking private Members' nights. A debate of five nights was by no means without precedent. The second reading of the Army Purchase Bill was discussed for five Government nights, and occupied three weeks of Government time without any attempt to appropriate the nights of private Members. It was impossible that this Bill should get through Committee before Whitsuntide, and he denied that it was of so pressing a nature as to justify the claim now set up.

MR. MARK STEWART, although he did not think that the situation with regard to private Members was sufficiently recognized by the Government, expressed his readiness to postpone the Motion which stood on the Paper in his name with reference to the Cattle Plague, although at the present time he held it to be very important to call attention to that question. He reserved his rights, however, in the event of other Members who had Motions on the Paper not giving way.

MR. ANDERSON said, he had already privately informed the Chancellor of the Exchequer that he was willing to give way with his Motion relating to the Dunkeld Bridge accounts, and he took that course because the Government so willingly consented to the adjournment of the debate on the Resolutions of the right hon. Gentleman the Member for Greenwich from Friday to Monday; but he must remind the right hon. Gentleman that postponing a Motion at this period meant relegating it to the time of Morning Sittings, and Morning Sittings too often meant evening counts, and therefore he trusted that when private Members' Motions, that had been given up in this way, came on the Government would keep a House for them.

MR. WHALLEY hoped that the Chancellor of the Exchequer would consider the propriety of clearing away the Tichborne case from the Paper. He had both an Order of the Day and a Notice of Motion on the Paper for this evening, and both would be sacrificed by giving precedence to the Government. The rights of private Members were being destroyed by the deliberate and arbitrary attacks that were being made upon them.

MR. LYON PLAYFAIR called attention to an irregularity which might furnish a very inconvenient precedent. The first Notice of Motion, that of the noble Lord the Member for Morayshire (Viscount Macduff) for a Commission to consider and report as to the present unsatisfactory state of the Herring Fishery on the East Coast of Scotland, the Government had got rid of by consenting to the appointment of a Commission before the opinion of the House had been expressed. There were many Members who would have objected to the Motion on the ground that the subject had been already investigated by two Royal Commissions, and there was no necessity for the appointment of another. They had no power to prevent the appointment of another Commission; but it would have been very desirable that they should know exactly how the matter stood, and with what motives and for what purposes it was to be formed. A great industry like that of fisheries should not be disturbed, unless grave causes were shown for prospective legislative changes.

The Chancellor of the Exchequer

MR. WADDY said, that when the proposal was made by the Chancellor of the Exchequer that the Government should have to-night, it was tacitly assented to by the House. He thought that in all fairness it belonged to them.

MR. PAGET regarded the occasion as quite exceptional.

LORD ESLINGTON did so too, while admitting that the rights of private Members should be jealously watched, and that this occasion should not be regarded as a precedent.

MR. DILLWYN could not see any reason for the demand of the Government, and protested against it.

MR. SHAW LEFEVRE protested against another inquiry being granted as to the Scotch Fisheries. Two Commissions had sat already.

MR. C. B. DENISON said, that when the arrangement was proposed by the Chancellor of the Exchequer the Leader of the Opposition said it was a fair one, and he hoped that a division would not be pressed.

MR. RYLANDS said, that if the rights of independent Members were to be bartered away between the two front benches, those rights would rapidly disappear. He complained that the right hon. Gentleman seemed to think that private Members ought to give time because the Government did. But it was part of the duty of the Government to find time for important discussions like that on the Eastern Question.

MR. GRANT DUFF said, that he thought the Government was not going to appoint a Royal Commission on the Scotch Fisheries, but to hold a separate inquiry.

MR. H. B. SAMUELSON said, that some of the Notices on the Paper were of much greater importance than the Universities Bill.

MR. P. A. TAYLOR protested against the invasion of the rights of private Members. He suggested that when they came to Morning Sittings, the Government should take the Evening Sitting, leaving the Morning Sitting to private Members. This would involve very little loss to the Government, and be highly advantageous to private Members.

Question put.

The House *divided*:—Ayes 219; Noes 52: Majority 167.—(Div. List, No. 122.)

ORDERS OF THE DAY.

—o:o:o—

UNIVERSITIES OF OXFORD AND CAMBRIDGE (*re-committed*) BILL—[BILL 113.]

(*Mr. Gathorne Hardy, Mr. Assheton Cross, Mr. Walpole.*)

COMMITTEE. [*Progress 3rd May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 17 (Objects of statutes for Colleges in themselves).

MR. TREVELYAN, in moving, in page 6, line 27, after "conditions," to insert "including, where it seems fit, those relating to age," said: This Amendment is designed to meet a great and growing abuse. I lately paid a visit to Cambridge, and found that, whatever might be the opinion of the gentlemen engaged in teaching whom I talked to there with regard to other matters, on one point they appeared to be agreed. The more they had to do with practical education, the more strongly they held that our Undergraduates, and especially the Undergraduates who contend for honours, come up to the University far too old, and they almost all allowed that the age was still tending to rise. Fifty years ago—in the days when there were such scholars as Thirlwall and Blomfield, and such mathematicians as Whewell, and Airey, and Herschel—men used to enter into residence at 18 years of age. In my own day the age had risen to 19; and the thing has now got so far that the upper forms of our public school are full of hulking young men of nearly 20. Now, the opinion of those who know best is that all the time which is spent at school over Latin and Greek after the age of 18 is lost time. Certainly the two most successful scholars of my own day came up to Cambridge nearer 17 than 18. Some go so far as to say that after that age a young man rather deteriorates than improves if he stays on at school; that he becomes a sort of Triton among the minnows, and grows conceited and idle, and that his first year at College is spent in bringing him back to the point that he was at 18 months before he left school. What else can be expected from this inversion of the order of things, when a young man, at an age when his grandfather

was fighting in the Peninsula, or preparing to stand for a borough, is still hanging on at school, with his mind half taken up with Latin verses, and the other half divided between his score in the cricket field and his score at the pastry-cook's. Now, the main cause of this is that the Colleges, out of the superfluity of their wealth, offer such rich prizes to boys in the shape of minor Scholarships and Scholarships. One College gives £80 a-year, another £100; and these may generally be gained by all who have not yet completed their 20th year. The consequence is that ambitious young men who are anxious not to lose a chance, hang on at school up to the very latest moment that they can stay there. The main object of these full-grown bearded individuals, who are mis-named schoolboys, is to go up to College laden with incomes from Exhibitions and Scholarships, and education is degraded more and more into an ignoble system of pot-hunting. But the evil does not end here. It is not only that young men stop too long at school; but that, as a natural consequence, they stay too late at College. Men of three, four, or five-and-twenty are still employed on a course of studies suited to men of 20 or 21. The evidence on this point is very remarkable. Hon. Members are aware that an institution has recently been founded at Cambridge called the Cavendish College, for the purpose of enabling lads from middle class schools to enjoy the advantage of University life at a cheaper rate than in the older Colleges. The students of Cavendish College cannot afford to waste their time. They come into residence at 16 and 17 years of age; and we have now the singular and almost humiliating spectacle of Undergraduates, educated at an enormous cost at Eton, Harrow, and other great public schools, who at the age of 22 are still dawdling over examinations which other Undergraduates, who have been educated at a third of the expense, have already passed easily at the age of 19. I think that hon. Members will admit this to be a *reductio ad absurdum* of this system of keeping grown men pottering over Euclid and Paley's Evidences till they are almost too old for success at the Bar, and quite too old to adapt themselves to the habits of commercial life. Now, Sir, the only means by which this evil can be checked is that the age at which entrance Scholarships can be obtained should be lowered from 20, to 19, or even 18 years. It would be easy to make special exceptions in the case of those self-taught geniuses whom none of us would wish to discourage. But the Colleges cannot, or rather dare not, take this step for themselves. The competition—the honourable competition—between College and College to get hold of young men who are likely to distinguish themselves is so keen that they do not venture to lessen their chance of getting such men by lowering the age, unless they are sure that all other Colleges will agree to follow suit. It is for the Commissioners to take the matter into their own hands and put a stop to a state of things which is bad for our public schools and for our Universities, and still worse for the individual interests of our students. With these views I have placed on the Paper the Amendment which stands in my name, to which I beg the Committee to give a favourable consideration.

MR. GATHORNE HARDY said, that the words the hon. Member proposed to insert were, in substance, included in the word "conditions" already in the clause; but he agreed with what had been said by the hon. Member, and as it was well that attention should be called to the matter, he would accept the Amendment.

MR. CLIFFORD supported the object the Amendment had in view, and he was glad to find that the Secretary of State for War approved of its principle.

MR. BRISTOWE considered the matter important, and thought that the attention of the Commissioners should be directed to the point. The intention of the founders of Cavendish College was that young students should take their degrees at the age of 19, and he thought that if the proposed alteration were made those students would be less unfairly weighted in the matter of age.

MR. BERESFORD HOPE thanked the right hon. Gentleman for his concession. It was a matter that deserved the serious attention of the University. It was desirable that some check should be put upon the threatened raid of robust men who might come to the University from the North of the Tweed.

MR. BALFOUR thought that the hon. Member opposite (Mr. Trevelyan) was a little hard on the public school boys; his

recollection of them was different. He suggested that the Universities should have the power to settle the limit of age for Scholarships, the Colleges being unable to do so on account of the rivalry between them.

MR. DODSON was very glad to find that the Secretary of State for War intended to adopt the Amendment.

LORD EDMOND FITZMAURICE said, that his impression was that the worst offenders in point of age were the Scotch students and the private students, and not the public school boys.

MR. LYON PLAYFAIR said, that the reason Scotch undergraduates at English Universities were comparatively old was that Scotch degrees were not required *ad eundem* at Oxford and Cambridge, so that Scotch M.A's. had to enrol themselves as if they had no possession of a degree.

MR. BERESFORD HOPE said, that the *ad eundem* degree conferred no privileges except wearing the gown.

MR. BARING said, that the limit of age ought only to apply to Scholarships.

Amendment *agreed to.*

MR. DODSON (for Mr. GOSCHEN) moved in page 6, line 31, after "thereof," to insert—"Provided, That every such emolument shall be conferred according to personal merit and fitness." The object of this Amendment was to save the spirit and intention of the Act of 1854, that Fellowships should be the reward of merit and competition.

Amendment proposed,

In page 6, line 31, after the word "thereof," to insert the words "Provided, That every such emolument shall be conferred according to personal merit and fitness."—(*Mr. Dodson.*)

Question proposed, "That those words be there inserted."

MR. GATHORNE HARDY thought it would be unwise to put in these words. They already existed in the original Act, which would be read together with this Act. Any guiding principle that was necessary for the Commissioners was contained in the existing Act, and to require that the competitive principle should apply in all cases would be inapposite, because there were offices where such an examination would not apply.

LORD FRANCIS HERVEY opposed the Amendment, and instanced the office of bursar as one to which the principle of competition would be inapplicable.

MR. HAYTER expressed a hope that the case of All Souls' College would not be lost sight of. Since the passing of the Act of 1854 the candidate who passed best in the general examination was not elected Fellow, but the candidate who, having passed the general examination, passed best in law and modern history.

MR. CLIFFORD regarded the words proposed to be inserted as superfluous.

SIR CHARLES W. DILKE contended for the insertion of the words as necessary, and advised the right hon. Gentleman to go to a division.

MR. DODSON pointed out that there were no words in the Bill requiring it to be read with the Act of 1854, and that there was nothing to prevent the Commissioners if they chose reversing the policy of that Act.

Question put.

The Committee *divided:* — Ayes 34; Noes 70: Majority 36. — (Div. List, No. 123.)

MR. HAYTER moved, in page 6, line 31, after "thereof," to insert—

"Provided, That no emolument unattached to any office either in the University or its Colleges shall be tenable for a longer period than seven years."

He was anxious to see that a limit should be given to the tenure of these emoluments, so that there should not be a life tenure of an emolument gained by a single examination. At present there were six Colleges in Cambridge at which the tenure of Fellowships was was limited to seven years; whilst in the case of all Scholarships, even including the Craven and the Tretand, the blue ribbons of Oxford University, a strict limit was imposed. His object was not to curtail the number of these Prize Fellowships, but to increase them by more frequent circulation, and to render them a support to a larger number of the poorer men during the ordinary struggles of their early professional life.

MR. OSBORNE MORGAN supported the Amendment.

MR. GATHORNE HARDY could not accept the insertion of the words. He thought it would be best to leave the Commissioners appointed under the Act to inquire on the spot, and make

regulations in reference to the tenure of Fellowships which should be suitable to each individual case or set of cases.

MR. STAVELEY HILL thoroughly agreed in the object of the Proviso. The Commissioners, however, were the proper persons to deal with the principle involved.

SIR CHARLES W. DILKE, on the other hand, thought that the hands of the Commissioners should be tied by inserting the principle of the Proviso in the Bill.

MR. HAYTER would not press his Amendment, but hoped that the unanimous expression of opinion by the House would find its way to the Commissioners.

Amendment, by leave, *withdrawn.*

MR. DODSON (for Mr. GOSCHEN) moved, in page 7, line 3, after subsection (7) to insert—

"(8.) For modifying the trusts, conditions, or directions affecting any College endowment, foundation, or gift, or any property belonging to or held in trust for the College, so far as the Commissioners think necessary or expedient for giving effect to statutes made for the College."

MR. GATHORNE HARDY quite agreed with the object of the Amendment, but said that the words proposed were unnecessary. Rather, however, than waste time he would accept the Amendment.

Amendment *agreed to.*

LORD FRANCIS HERVEY moved, in page 7, line 7, after "same," to insert—

"(9.) For regulating the times during which residence in the College shall be required for the purposes of study and instruction.

"(10.) For modifying the trusts, conditions, or directions affecting any College endowment, foundation, or gift, as far as the Commissioners think the modification thereof necessary or expedient for giving effect to statutes made by them for the College."

He thought the magnates of the University should be called upon in some degree to retrench the enormous holiday which they enjoyed, and which extended over 30 weeks in the year. It was in this direction that his Amendment would operate.

MR. MOWBRAY objected to the Amendment, as the question involved in it had already been settled in the Committee.

LORD FRANCIS HERVEY said, he would withdraw his Amendment if he were to have an opportunity of moving it at some future time when hon. Members were not at dinner, because if the division bell rang at present the supporters of the Government would come flocking in and defeat it.

Amendment, by leave, *withdrawn.*

LORD FREDERICK CAVENDISH moved, in page 7, line 7, after "same," to insert—

"(9.) For enabling the College to sell advowsons of benefices, the patronage whereof is now vested in it, and for regulating the application of the purchase-money for any such advowson."

MR. GATHORNE HARDY said, a College already had power to sell advowsons, but there was no provision for the application of the money for the purposes of the College. He suggested that the Amendment should be directed only to the regulating of the application of the purchase money.

LORD FREDERICK CAVENDISH accepted the suggestion.

Amendment, as amended, *agreed to.*

LORD EDMOND FITZMAURICE moved, in page 7, after line 7, to insert—

"For transferring the visitorial powers now exercised by any ecclesiastical person or body over or in any College to the Crown."

The noble Lord said, the visitorial powers which were now possessed by the Bench of Bishops were chiefly of a judicial character, and invested the persons who held them with a jurisdiction more irresponsible in some ways than that of a Judge sitting in an ordinary Court of Law or Equity. He did not desire to say anything disrespectful of the Bench of Bishops; but it seemed to him that the time had come when the judicial powers and duties with which they were now entrusted should be transferred to a lay body. He altogether demurred to a Bishop sitting as visitor and adjudicating upon matters which involved points of law as much as any which could be brought before any Court in the country. It would, no doubt, be said that he could not bring forward any evidence to prove that the jurisdiction of the Bishops had been unsatisfactory. Well, he would not mention names; but he could easily, if he liked, point to certain cases in which the decisions of

the Bishops, acting as visitors, had been a cause of much discontent.

Amendment proposed,

At the end of the Clause, to add the words "For transferring the visitorial powers now exercised by any ecclesiastical person or body over or in any college to the Crown."—(*Lord Edmond Fitzmaurice.*)

Question proposed, "That those words be there added."

MR. OSBORNE MORGAN supported the Amendment. There could be no doubt, he said, that a great change had taken place in the character of the Episcopal Bench since the time when the Bishops were first made Visitors of Colleges. There had also been a great change in the character of these Colleges themselves; and that being the case, he thought there was sufficient ground for taking away from the Bishops the important jurisdiction with which they had been originally vested, and transferring it to that power which was the natural repository of law and justice in this Kingdom.

MR. GATHORNE HARDY was sorry he could not accept the noble Lord's Amendment. He considered that the Bishops were perfectly well qualified and perfectly well able to discharge the duties which had so long devolved upon them. He should certainly not be in favour of any alteration of the present system unless it were found that the Visitors were not adequately performing their functions. For his part, he thought the Visitors did their duty most thoroughly, both in investigating cases and in giving decisions upon them.

MR. BRISTOWE trusted that, as the Bill effected an entire change in the administration of the Universities, there would be no objection on the part of the Government to the adoption of the Amendment.

MR. MOWBRAY thought that there was no incongruity in a Bishop being a visitor, and opposed the Amendment. No practical case had been made out for the change, and he therefore trusted that the proposal would not be adopted.

MR. DODSON said, that if every College in Oxford had the same power as Baliol of electing its visitor, there would be little to complain of; but it was very different with Colleges of which Bishops were Visitors *virtute officii* and by the will of the founder.

MR. BALFOUR sympathized with what he believed to be the object of the Amendment, but could not support it in its present form, by which it was directed against ecclesiastical Visitors exclusively.

Question put.

The Committee *divided*:—Ayes 39; Noes 84: Majority 45.—(Div. List, No. 124.)

MR. STAVELEY HILL moved, in page 7, line 7, at end, to add—

"Provided always, That nothing in this Act contained shall authorize or enable the Commissioners to deal with the funds of any Fellowship when such funds do not exceed the clear annual value of two hundred and fifty pounds, and when such Fellowship is held for no longer a term than eight years, or until marriage; and if such Fellowship is of a greater clear annual value than two hundred and fifty pounds, or is tenable for a longer term than aforesaid, then the Commissioners may make provisions with regard to the amount so in excess, and may reduce the future tenure of such Fellowships to such term of eight years, or until marriage."

The hon. and learned Member said, the Amendment related to the most important part of the Bill. Nothing had so much helped to place the University of Oxford in its present position as these Fellowships, which enabled young men to distinguish themselves at the University and afterwards to pursue their profession with credit. They had been well described as the *prima mobilia* of the University. His Proviso would prevent these Fellowships from being utterly annihilated; while, on the other hand, the Commissioners would have the power to deal with any superfluity of Fellowships. With regard to the amount, he thought that these Fellowships should not exceed £250 a-year. When a young man obtained one of that amount it would be enough to carry him through the rest of his University career and the first stages of his professional life. If he went to the Bar, for example, he would have no occasion to marry a "rich attorney's daughter." He had put the time during which the Fellowships might be held at eight years. The term of seven years might be adopted for Cambridge, as being more suited to that University. Where they were held for a greater length of time, the Commissioners were to fix the tenure to eight years, or until marriage. He held that marriage was on many accounts a suitable limit to the tenure of a Fellowship.

The hon. and learned Member concluded by moving his Amendment.

MR. WALPOLE objected to the Proviso on the ground that it would do more harm than good to the Fellows. The Bill enabled the Commissioners to make regulations in reference to the tenure and conditions upon which Fellowships should be held, and in the manner most conducive to the interests of each College; but by this Proviso it was proposed to cut down the value of the Fellowships to a minimum; and thus the Commissioners would consider that it would be their duty to raise some and to reduce others by placing them all on a common level. He submitted that it would be better to leave the clause as it stood.

MR. MORGAN LLOYD also contended that the Amendment was very objectionable and ought not to be accepted by the Committee.

MR. STAVELEY HILL, in reply, said, that he did not propose that all Fellowships should be no more than £250, but that when they were as low as that they should not be touched by the Commissioners.

Amendment *negatived.*

Clause *agreed to.*

Clause 18 (Provision for religious instruction, &c.) *postponed.*

Clause 19 (Objects of statutes for Colleges in relation to University).

SIR CHARLES W. DILKE moved the omission of the first sub-section, which enables the Commissioners to make provision for annexing any emolument held in the College to any office in the University or in a Hall on such tenure as they may deem fit, and for attaching to the emolument in connection with the office conditions of residence, study, and duty.

Amendment proposed, in page 7, line 18, to leave out from the word "them," to the word "them," in line 23, inclusive.—(*Sir Charles W. Dilke.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. BRISTOWE disliked the principle of this sub-section exceedingly. He believed that at Oxford it had been in practice; but at Cambridge it would be entirely new, and he was sure it would be very objectionable. At present the Governing Bodies of the Colleges elected their own Fellows. If this sub-section were passed, the Colleges might have Fellows imposed upon them by the authorities of the University. Such Fellows would be in the enjoyment of the funds of the College, but being appointed by an independent authority and not by the College would not be likely to consider themselves subject to the control of the Governing Bodies of such College. He hoped the subsection would be struck out.

MR. MOWBRAY said, the same system which it was now proposed to introduce into Cambridge had worked well in some of the Colleges at Oxford, without giving rise to any incongruity or want of harmony.

SIR CHARLES W. DILKE asked what was the practical purpose of the sub-section?

MR. GATHORNE HARDY said, that in case of Fellowships not being wanted for the working of the College, it was proposed that power should be given to attach them to University offices.

MR. BERESFORD HOPE thought such a change as the sub-section would seem to allow might quite revolutionize the character of the Colleges. These Professor Fellows would really have no direct connection with the undergraduates, nor personal familiarity with the customs or conditions of the College, and would rather be an incubus upon its discipline than otherwise. It was all very well to appeal to Oxford precedents—those of Cambridge were in direct opposition.

LORD FREDERICK CAVENDISH could not look with any jealousy upon this provision, which he thought would be of great benefit to the Colleges.

LORD FRANCIS HERVEY said, the important point was whether these University Fellows would have a share in the government of the College, the emoluments of which they received, and yet of which they might not be residents. He wanted to know whether it was intended to use College emoluments to prop up the Halls which were the sink of the University, and no longer serving any useful purpose?

MR. BRISTOWE contended that under the sub-section the Colleges were rendered powerless in the matter. The

Commissioners would have absolute power to take away from the ordinary purposes of a College a certain number of Fellowships and annex them to the enjoyment of a University Fellowship, and although it might be said that the Commissioners were only to deal with superfluous funds, still it was to be borne in mind that the Commissioners themselves were to judge whether a College had superfluous funds with which they would deal.

MR. GATHORNE HARDY expressed surprise at the language of the noble Lord the Member for Bury St. Edmund's (Lord Francis Hervey) with regard to Halls. He thought it was a wise provision to give power to the Commissioners, if they thought fit to annex Fellowships to a Hall.

Question put.

The Committee *divided:*—Ayes 114; Noes 53: Majority 61.—(Div. List, No. 125.)

Clause 20 (Increase of additional income to be regarded), *agreed to.*

Clause 21 (Power to allow continuance of voluntary payments).

MR. DODSON (for MR. GOSCHEN) moved in page 8, at end, to add—

"Provided, That in estimating the income of the College for any purpose of this Act, no such payment shall be taken into account as part of the necessary or ordinary expenditure of the College."

Amendment proposed,

At the end of the Clause, to add the words "Provided, That in estimating the income of the college for any purpose of this Act, no such payment shall be taken into account as part of the necessary or ordinary expenditure of the college."—(*Mr. Dodson.*)

Question proposed, "That those words be there added."

MR. GATHORNE HARDY said, he could not agree to the Amendment. He admitted that in many cases the proposal of the hon. Member might be a very just one; but in other cases, it would operate unjustly. The clause only authorized the Colleges to continue such voluntary payments as might be recognized by the Commissioners as part of the necessary or ordinary expenditure of the College.

SIR CHARLES W. DILKE said, he was under the impression that this clause was intended to cover large voluntary payments for the increase of College livings to which he and many on that side of the House objected. They thought that the Colleges ought to sell their livings.

Question put.

The Committee *divided:*—Ayes 52; Noes 127: Majority 75.—(Div. List, No. 126.)

LORD FREDERICK CAVENDISH proposed to add at the end of the clause—"Provided that no such payment shall be made obligatory on the College."

MR. GATHORNE HARDY, desiring time to consider the Amendment, suggested that it should be moved on the Report.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 22 (Provision for accounts, audit, &c.).

MR. DODSON proposed that in the part giving the Commissioners power to make provision—

"For the form of accounts of the University and of a College relating to funds administered either for general purposes, or in trust, or otherwise, and for the audit thereof,"

there should be inserted after "audit" the words "and publication." In Oxford, he mentioned, there was no account published with regard to the trust fund of the University, nor were any of the accounts of the Colleges published, although he believed they were all audited.

Amendment proposed, in page 8, line 15, after the word "audit," to insert the words "and publication."—(*Mr. Dodson.*)

MR. GATHORNE HARDY was not prepared to assent to the Amendment unless it was explained what was meant by "publication." With respect to the Colleges, he thought that the careful audit suggested by the Commissioners and others who had looked into the matter was all that was desirable. As to public money, it was obviously proper that the accounts relating to it should in some manner be published.

MR. DODSON thought the form of publication might be left to the Commissioners; but he suggested that pub-

lication might be by sending round to the different members of the Colleges an abstract of the accounts.

LORD EDMOND FITZMAURICE could not see any valid reason against the publication of these accounts. The Colleges ought not to shrink from it.

MR. WALPOLE said, the Inns of Court were not required to publish accounts. Why should the Colleges be required to do so?

SIR JOHN LUBBOCK said, the University of London did publish accounts, and though there was a broad distinction between that University and the Universities of Oxford and Cambridge, he thought so valuable a feature in connection with the one institution might, with advantage, be extended to the other two.

MR. JAMES saw no good reason why the accounts of the Colleges should not be published.

MR. COURTNEY urged that the same reasoning by which they required the accounts of the Colleges to be audited equally applied to having the accounts published. By requiring the accounts to be audited they acknowledged that the Colleges had a certain responsibility to the public. Then why should their accounts not also be published? The two things must stand or fall together.

MR. STAVELEY HILL asked the hon. Member for Liskeard what was meant by publication?

MR. COURTNEY pointed out that the word "publication" was used in the next sentence of the Bill itself.

MR. GOSCHEN thought it was desirable that all the members of the Universities and the Colleges should know how those large funds were disposed of.

MR. GATHORNE HARDY said, he had no desire whatever that the Colleges should conceal their accounts or that there should be any attempt made on their part to do so; but, as their expenditure was of a domestic character, he did not think their accounts should be published in the same manner as those of the University.

MR. GOSCHEN denied that the Colleges at Oxford could be treated as domestic institutions. They had public duties of importance to perform, and he knew that there were Colleges which would be perfectly willing to publish accounts showing how they administered their funds.

MR. STAVELEY HILL said, that anybody who thought there had been any improper expenditure had ample opportunity of finding it out on inquiry; and he saw no reason why the domestic expenditure of the Colleges should be published to the world at large.

MR. DODSON said, it should be remembered that these Colleges were exempted from the operations of the Charity Commissioners, and as he could see no reason why they should not publish these accounts, he should go to a division.

Question proposed, "That the words 'and publication' be there inserted."

The Committee *divided*:—Ayes 64; Noes 117: Majority 53.—(Div. *List*, No. 127.)

SIR COLMAN O'LOGHLEN moved to report Progress, as the hour was getting late, and everybody was tired.

MR. GATHORNE HARDY said they were in the middle of a clause, and he hoped to be allowed to finish it to-night.

MR. DODSON also appealed to the right hon. and learned Baronet not to press his Motion, as he had two Amendments on the Paper which he desired to move.

SIR COLMAN O'LOGHLEN said, he had no desire to obstruct the Business of the House, and would withdraw his Motion to enable this clause to be disposed of.

MR. PARNELL said, he should have no objection to the Motion being withdrawn, on the understanding that the Amendments of the right hon. Gentleman would not take a long time.

Motion, by leave, *withdrawn*.

MR. DODSON moved, in page 8, at end, to add—

"2. For regulating the exercise of the borrowing powers of the University or of a College;

"3. For regulating the conditions under which beneficial leases may be renewed by the University or a College."

MR. GATHORNE HARDY pointed out that the object sought to be obtained was already provided for in other parts of the Bill.

MR. GOSCHEN thought it desirable that the Commissioners themselves should

have the power to deal with the cases as they arose.

Amendment *agreed to.*

Clause, as amended, ordered to stand part of the Bill.

On Motion, "That Progress be reported,"

In reply to Mr. GOSCHEN,

MR. GATHORNE HARDY said, he proposed to go on with the Bill on Thursday, till he came to the postponed clauses, whatever time that might be. If these clauses were not reached by 10 o'clock, which he did not think they would be, he would not take them that night. If, however, they were reached before that time, he should propose to commence the discussion upon them on Thursday.

Committee report Progress; to sit again upon *Thursday*.

QUARTER SESSIONS (BOROUGHS) BILL.

(*Mr. Torr, Mr. Wheelhouse, Mr. Chamberlain, Mr. Birley.*)

[BILL 144.] COMMITTEE.

Bill *considered* in Committee.

MR. TORR explained that the object of the Bill was to enable an "assistant barrister" to be appointed to assist the Recorder for four days at a time, instead of two, as now, and also to enable the Corporation of the town where he was appointed to vote his remuneration for a whole year, instead of, as now, session by session.

COLONEL NAGHTEN moved the following clause:—

(Notice to jurymen not to attend sessions when there are no prisoners to be tried.)

"When the clerk of the peace or other official acting in that capacity for any corporate city or town for which there is a Court of Quarter Sessions shall ascertain on the day next preceding the day on which the said Quarter Sessions are about to be held that there is not any prisoner waiting for trial at such Quarter Sessions, he shall thereupon notify the fact, in writing under his hand, to the members of the grand jury and the petty jury who have been summoned to attend at such Quarter Sessions, and shall in and by such notice inform them that their attendance will not be required."

In some "moral" boroughs and cities this happy state of things occurred frequently, and it was not necessary to summon Grand Juries and Petty Juries to see the Recorder presented with a pair of white gloves.

MR. HERSCHELL supported the clause, as the Recorder of a moral city (Durham), where more than once there had been no prisoners for trial.

MR. D. ONSLOW opposed the clause, because Grand Juries liked to see their Recorder, whether there was anything to do or not.

MR. ASSHETON CROSS objected to the clause, because anyone had a right to go before the Grand Jury with a bill, but urged that it should be postponed, in the absence of the Attorney General, until the Report.

MR. HERSCHELL replied that the right was so seldom exercised and was so contrary to the tendency of recent legislation that it might very well be required that two or three days' notice should be given.

SIR COLMAN O'LOGHLEN supported the clause. In Ireland, when it was known that no prisoners were to be tried, Grand Jurymen paid the fine of £2 rather than take the trouble of going to the sessions for no purpose whatever.

COLONEL NAGHTEN consented to defer the new clause until the Report.

Bill *reported;* as amended, to be considered upon *Friday* 1st June.

PUBLIC WORKS LOANS (IRELAND) BILL.—[BILL 139.]

(*Mr. Raikes, Sir Michael Hicks-Beach, Mr. Attorney General for Ireland.*)

SECOND READING.

Order for Second Reading read.

MR. W. H. SMITH, in moving that the Bill be now read a second time, stated that it authorized the advance of £700,000 for public loans in Ireland, and also remitted certain sums amounting to about £500,000, which had previously been advanced by the Treasury on inadequate security.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. W. H. Smith.*)

MR. ANDERSON objected to the Bill on account of the proposed remissions.

MR. COURTNEY moved the adjournment of the debate.

Motion made, and Question put, "That the Debate be now adjourned." —(*Mr. Courtney.*)

The House *divided:*—Ayes 7; Noes 60: Majority 53.—(Div. List, No. 128.)

Original Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* 7th June.

ANCIENT MONUMENTS BILL.

Select Committee *nominated:*—Lord FRANCIS HERVEY, Mr. HERSCHELL, Earl PERCY, Mr. BERESFORD HOPE, Mr. SULLIVAN, Sir PHILIP EGERTON, Mr. OSBORNE MORGAN, Mr. RODWELL, Mr. GRANT DUFF, Sir CHARLES LEGARD, Sir RICHARD WALLACE, Mr. ARTHUR MOORE, and Sir JOHN LUBBOCK; Five to be the quorum.

Ordered, That the Select Committee on the Ancient Monuments Bill have power to send for persons, papers, and records.

That, subject to the Rules, Orders, and Proceedings of this House, all persons legally interested in any of the properties included in the Schedules have leave to appear, by their Agents, Counsel, and Witnesses, in support of any Petition which they may have presented praying to be heard against the Bill.—(*Mr. Greene.*)

WAYS AND MEANS.

CONSOLIDATED FUND (£5,900,000) BILL.

Resolution [May 14] *reported*, and *agreed to:* — Bill *ordered* to be brought in by Mr. RAIKES, Mr. CHANCELLOR of the EXCHEQUER, and Mr. WILLIAM HENRY SMITH.

Bill *presented*, and read the first time.

SITTINGS OF THE HOUSE.

Resolved, That whenever the House shall meet at Two of the clock, the Sitting of the House shall be held subject to the Resolutions of the House of the 30th day of April 1869.—(*Mr. Chancellor of the Exchequer.*)

House adjourned at half after One o'clock.

HOUSE OF COMMONS,

Wednesday, 16th May, 1877.

MINUTES.] — SELECT COMMITTEE — Parliamentary and Municipal Elections (Hours of Polling), Mr. Murphy *discharged*, Mr. Arthur Moore *added*.

PUBLIC BILLS — *Resolution in Committee* — *Ordered* — *First Reading* — Companies Acts Amendment * [171].

Ordered—First Reading—Medical Act (1858) Amendment (No. 2) * [172]; Local Government Provisional Orders (Bridlington, &c.) * [170].

Second Reading—County Training Schools and Ships [73], *put off;* Mercantile Marine Hospital [79], *put off;* Poor Law Guardians Elections (Ireland) [46], *put off;* Pier and Harbour Orders Confirmation (No. 3) * [166]; Consolidated Fund (£5,900,000) *.

ORDERS OF THE DAY.

COUNTY TRAINING SCHOOLS AND SHIPS BILL—[BILL 73.]

(*Captain Pim, Mr. Coope.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Captain Pim.*)

MR. PHIPPS, on rising to move that the Bill be read a second time that day six months, said, he would not have taken the course if he could have thought that the efficiency either of the Army or the Navy was likely to be improved by the proposed legislation. Not only was he unable to see this, but further, he held that if sacrifices were to be made to secure an end which was desirable in order to promote Imperial interest, the sacrifice should be made by taxpayers in general, and should not be imposed upon the ratepayers in particular localities. He appreciated the importance of providing a good supply of well-trained boys for the Army and Navy; but he thought that Acts already upon the Statute Book were amply powerful for the purpose, if they were only put in force. Boys could easily be provided by a development of the existing system of pauper district schools. The Bill would impose considerable burdens, mainly compulsory, on the local ratepayers at the option of the justices, who would have power to mortgage the rates for the support of the schools contemplated in the Bill, thus indefinitely increasing local indebtedness, which was already too great. The general tendency of the Bill would be to provide what was a purely Imperial matter by a newly-created charge on local rates. As far as the Mercantile Marine was concerned, it was simply a private trade, and he saw no more reason why boys should be specially trained at the public charge for that than for any other trade. He therefore begged to move the Amendment of which he had given Notice.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Phipps.*)

MR. GOURLEY thought there were several good points in the Bill, but he was of opinion, on the whole, that the subject was too large a one to be dealt with in an offhand manner. The present system of training boys was quite sufficient for the Army, Navy, and Mercantile Marine. He would, therefore, suggest that the matter should be referred, for inquiry, either to a Royal Commission or a Select Committee of the House. As it stood, the Bill involved the principle of conscription in an indirect form, a principle which was most repugnant to the felings of the English people. He therefore hoped the hon. and gallant Member would not press it to a division.

MR. WHALLEY supported the Bill, and pointed out that it had been before the House during two or three Sessions, and had been the subject of much consideration by those persons who were engaged in the useful work of training boys for the Navy. He might remind the House that the Board of Trade had committed itself to the principle of the measure by undertaking to give material assistance in cases where voluntary offers of money were made for the establishment of training ships. He hoped, therefore, that the President of the Board of Trade would welcome such offers whenever they were made, and would recognize the patriotic motives which animated the hon. and gallant Gentleman who had charge of the Bill. It was all very well to educate boys intended for the Military or Naval Services of the country in the three R's; but they ought also, if they were to become practically useful, to be trained in the three D's—duty, drill, discipline.

MR. WHEELHOUSE said, he did not think that there could be any sound objection to the second reading of this Bill, seeing that, if it became law, its operation would still remain, under the 2nd, 3rd, and 4th clauses of the measure, in the hands of the justices, and wholly permissively under their control; leaving it for them to decide whether or not there was in the districts over which they presided a sufficient necessity for them to carry its provisions into operation, and to require the erection of schools for the training of boys for the Army, Navy, and Mercantile Marine. For his own part he could not see how in many ports of the country it could be otherwise than a very desirable thing for such schools to be founded. The Legislature had already proceeded to some extent in the direction of the principle contained in the present Bill. They had chosen years ago to say, whether rightly or wrongly, wisely or unwisely, that there should be a general education applicable to the whole of the country; and that, in order to carry out the system of education established by that Act, there should be school boards elected by the ratepayers throughout the length and breadth of the Kingdom. This being so, the Legislature had already conceded the principle on which this Bill was founded, and the measure now before the House was consequently only an endeavour to carry out with regard to the children of our seamen that which the general Act for the elementary education of the country had been doing for the rest of the community. He would ask the House—Did the children of our seamen stand in a different position from that which was occupied by the children of the rest of the community; and, if so, why should that continue to be so? Something had been recently said, and something he was glad to find was about to be done, with regard to the children of those who were employed on the canal boats of this country; and all these things showed the intention of the Legislature to provide an effective education for the children of all classes. Having said this, he could not see why this Bill should not receive a second reading, so that the House might deal with it afterwards. If there were alterations that were desirable, they might be made in Committee. The House should not forget that if this Bill became law, as he sincerely hoped it might, it would still be for the justices of the different maritime districts and counties throughout the country to say whether they thought the requirements of the neighbourhood over which they presided rendered the establishment of such schools necessary, they being the assessing bodies to aid them in providing training schools for those localities. In his opinion, if the legislation the House was asked to initiate by passing this Bill were once carried into effect, they would find that the justices of every maritime county, or, at all events, in every maritime area of three or four counties throughout the country, would be ready and willing to support the action proposed by the mea-

sure, by doing what would be necessary on their parts to carry it into operation; at any rate, it was worth while trying. He should therefore give his vote most cordially for the second reading of the Bill, which he trusted would receive the assent of Her Majesty's Government, and that of the House generally.

SIR CHARLES ADDERLEY said, that not only had the principle been conceded, but the practical application of it had been conceded also. The Bill was simply a repetition—in better phraseology, perhaps—of Acts already on the Statute Book. Why was it that maritime countries had not availed themselves of the facilities ready to their hand? They were all agreed as to the importance of keeping up a supply of well-trained boys for the Army and Navy, but the question was, whether the present Bill would achieve that end. The Industrial Schools Act enabled the authorities to contribute to the establishment of schools which came within the meaning of the Act, whether such schools were afloat or ashore. This Act had been used, no doubt, but not so extensively as it might have been. The Metropolitan Poor Act contained similar provisions. It was only recently that the Lord Mayor and a number of wealthy and benevolent individuals contributed the necessary funds for establishing a training ship upon the Thames, and it would be most mischievous to pass any measure that would interfere with voluntary efforts. By a recent statute power was given to the local authorities not only to contribute to, but actually to establish these ships. He therefore maintained that, as far as pauper children were concerned, the powers conferred by the existing Acts were amply sufficient. The Bill of the hon. and gallant Member, however, went much further than the existing statutes, and proposed to bring up children at the expense of the ratepayers to a particular trade, that of the Mercantile Marine, and he thought that such a proposition would not receive the assent of the House, for if it did, it would form a precedent for similar propositions on behalf of other trades. He fully recognized the value of the object the hon. and gallant Member had in view—that of providing trained boys for the Mercantile Navy, and he could assure him that that subject had occupied a considerable share of his own attention. He was anxious to promote that object on various grounds, not merely for the purpose of increasing the supply of mercantile seamen and of improving their quality, but in order to make that Service a more effectual feeder of the Royal Navy, to enter which should be a legitimate object of ambition to all these trained boys. He was also anxious that the number of industrial schools of all kinds should be increased, and also that the Legislature should deal with them as not being in any sense criminal establishments, but institutions provided for such children as were too poor to obtain any means of education, except at the public expense. He had made a proposal some years ago that the Mercantile Marine itself should contribute to the maintenance of these ships, and he trusted that with the aid of that very high-spirited Service, of which the country might be proud, that an increase in the number of training ships would shortly be made. The right hon. Gentlemen the Home Secretary and the First Lord of the Admiralty had expressed their willingness to afford every encouragement in their power towards the establishment of these marine schools, and the latter especially had, by the number of ships he had given for this purpose, and by the constitution of a new class of Naval Boys Reserve, given proof of his being desirous of giving material aid to this scheme. He, however, could not say on behalf of the Government that they were prepared to support this Bill. He objected to the multiplication of different kinds of schools of this class which would result from the operation of the Bill, the provisions of which he thought would be mischievous and calculated to confuse the Statute Book and deceive the public.

MR. MARK STEWART said, he entirely concurred in the view taken of this subject by the right hon. Gentleman the President of the Board of Trade, and would vote against the Bill. He was glad, however, the measure had been brought forward, because he thought the discussion would have its advantages by opening people's eyes to the fact that there were already many Acts on the Statute Book on the subject which they might avail themselves of. He hoped the work done by the present training ships, the *Chichester*, the *Arethusa*, and others, would not be taken out of the

hands of the charitable institutions which at present performed it, and in which work Mr. Williams figured so prominently, because he was sure that if it were, the county taxation would be increased, and the charitable feelings of those persons who supported these schools would be dried up. He believed also that justices of the peace would hesitate very much before they put in operation its expensive provisions.

CAPTAIN PIM said, in reply, it was most extraordinary and unprecedented to find the Government offer opposition to such a Bill as that now under consideration. It was a measure which had been long called for, and which, in relation to the mercantile objects of the great shipping interests of this country, would, if passed into an Act, prove of the greatest value. He warned the House that in the event of this country being engaged in war, unless some preliminary steps were taken to keep up the supply of British sailors for the Navy and the Mercantile Marine Service, the country would be in a most deplorable state. It was admitted that the shipping interest was deficient of a very large number of sailors, but by the provisions of his Bill the want could be supplied. The Board of Trade had said, in opposing his Bill, that they had a means of providing the expenses of obtaining the necessary amount of hands. What was the scheme of that Department? It was to apply the balance in hand of the Merchant Seamen's Marine Fund to the object. But to what extent was it proposed to provide hands for the Service? It was said that there was a deficiency of 20,000 men who were required for the Service, and it was proposed to provide means to obtain 16,000 boys. Well, to do that the balance of the Mercantile Marine Fund would be a mere drop in the ocean. He felt strongly and earnestly on this question. He had worked day and night to promote the success of a scheme which he was convinced, if adopted by the Government and the House, would prove of the greatest advantage to the merchant shipping interests of the country and of the Royal Navy. He would remind the House that 400 vessels were engaged in the grain trade, and that, owing to our defective system, most of them were manned by foreigners—Russian Fins—who, in case of war, would scuttle their ship and run them ashore. Upon the Mercantile Marine the country depended for many necessaries of life, and it was of the greatest importance that we should, in the face of existing events in the East, have true British seamen on board our ships. He must protest against the Mercantile Marine being regarded in the same light as a mere trade. The waste of men in our Mercantile Marine was calculated at 16,000 per annum, and the country had only 16 training ships, which supplied but 1,036 men for our Navy in the last year. He considered the system of county training schools for boys for our Navy, which worked so admirably in Middlesex, most important to supply the deficiency, and that it ought to be extended. If something were not done to keep up the supply for the protection of our dependencies at home and abroad, the consequences might prove most disastrous. The operation which the Bill would also have of preventing poor children from returning from school to the criminal atmosphere surrounding their homes would be most beneficial to the community at large. In conclusion, he must say he could not understand how any hon. Member could propose the rejection of this Bill, which he trusted the House would read a second time, and alter as much as they thought necessary in Committee.

SIR EARDLEY WILMOT was sorry the Bill was opposed by the Government; but he, for one, was ready to support the second reading. He thought that the thanks of the community were due to the hon. and gallant Member for having introduced this measure. It had been said that legislation on the subject should be Imperial, and that a measure should be introduced by the Government; but a Bill was brought forward in a former Session to carry out the object which his hon. and gallant Friend had in view, and the Government, on that occasion, said they would bring in a Bill to deal with the matter, but from that time to this they had not taken any step in the matter. The Bill was an extension of a principle already recognised throughout the country. There were, no doubt, some objections to the Bill; but he thought they might be met. One was that ratepayers would be called upon to support what might be considered an Imperial measure; but

had not that principle been sanctioned by the Education Act? Defects of detail might be remedied in Committee. Knowing the sincerity of his hon. and gallant Friend on the subject, he felt great pleasure in supporting the second reading of the Bill.

SIR HENRY SELWIN-IBBETSON contended that the course taken by the President of the Board of Trade was in accordance with the observations of his right hon. Friend the Home Secretary in 1875, who then said that if such a Bill were necessary, they ought to amend the Industrial and Reformatory Schools Act. That was what he (Sir Henry Selwin-Ibbetson) now felt should be done, and if it could be shown that those Acts required amendment, his right hon. Friend the Home Secretary would be glad to press it forward. He, however, thought that the House would not be prepared to lay down as a rule that every local authority should be obliged to establish a training ship in each county. Under the present system they had power to do so if they chose, and he thought that was sufficient. By adopting this Bill the House would be intertering with voluntary effort, upon which reliance had been so justifiably placed, and which had produced such satisfactory results. Schools could be maintained at a far more reasonable rate by voluntary management than by that of local authorities, and that was eminently the case with regard to the existing industrial schools. For instance, the net cost of each boy in the voluntary schools in his county was £17, while that of each boy in the Middlesex school was £27. He contended that before passing this Bill the whole subject of industrial reformatory schools and training ships should be considered together. He thought that the House would run a great risk if they adopted this measure of destroying voluntary efforts; and, under these circumstances, he trusted that the hon. and gallant Gentleman would not press his Bill.

MR. GORST could not but say that his hon. and gallant Friend had a right to complain of the opposition offered to his Bill. His hon. and gallant Friend was sensible that it was necessary to have training schools for boys intended for the Mercantile Marine Service, and, having studied the question well, his measure was met with opposition. The principle of the Bill was admitted. Then why should the second reading of the Bill be opposed by the Government? He would suggest that his hon. and gallant Friend should withdraw the Bill, otherwise the country or those interested in the subject would be misled, as the division would be taken on a false issue. This was a question of great and, indeed, national importance, and he contended that provision should be made by law for the better training of boys for the Mercantile Marine and for the Royal Navy. The Government might have a Bill in their "pigeon-hole," but why was it not brought forward?

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 17; Noes 83: Majority 66.—(Div. List, No. 129.)

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

MERCANTILE MARINE HOSPITAL BILL—[BILL 79.]

(*Captain Pim, Mr. Wheelhouse.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Captain Pim.*)

MR. WHITWELL, in moving that the Bill be read a second time that day six months, said, the hon. and gallant Member who had charge of the measure had on a recent occasion expressed sympathy with the overburdened shipowners and yet by this Bill he would impose an additional tax upon them; and he not only proposed to do that, but he proposed to levy a tax on the poor sailors, amounting to 5 per cent of their wages. In carrying out his scheme the hon. and gallant Member inserted provisions requiring the assistance of the Board of Trade. He was of opinion that the hon. and gallant Member had not received the assent of that Department to such provisions. It seemed to him, taking the wages of seamen engaged in the Merchant Shipping Service at £6,000,000 a-year, a tax of 5 per cent upon that

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would amount to £250,000 a-year, and it was proposed by that means to raise a fund sufficient for the establishment and maintenance of Mercantile Marine hospitals for sailors. The Bill, which was full of objections, provided that a Medical Board should be established, and that medical inspectors should be appointed at different seaports, to whom the sailor should submit himself for inspection every time he got engaged for a voyage, long or short. No matter how healthy and vigorous the man or boy might be, he should submit himself to such inspection; and even a stewardess on board a passenger ship would be required to submit to this examination. The Bill provided that 10 medical inspectors should be appointed at London, Gravesend, Hull, Shields, Southampton, Liverpool, and other ports—one at each port—and the sailor, within seven days of having signed articles of service, would probably have to go to a far distant port to undergo a medical examination. Thus from Swansea to Liverpool there was no provision for the establishment of a hospital. The Bill also professed to provide for the inspection of ships' medicine-chests; and, in short, for the general medical superintendence of the whole of our seamen. There were, however, only 10 towns included in the Schedule, and the whole machinery of the measure was utterly inadequate for the objects it contemplated. In conclusion, he must say he never recollected so arbitrary and unjustifiable an interference with individual rights as was suggested by most of the clauses of the Bill. He therefore trusted the House would reject such a Bill, which even contained a provision for the inspection of women who might get situations in the hospitals.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Whitwell.*)

MR. WHALLEY thought that the hon. and gallant Gentleman the Member for Gravesend was highly qualified to deal with this important question. It was a subject of the greatest interest, and he regretted that the hon. Member for Kendal had expressed himself in what he (Mr. Whalley) considered an unfair criticism of the provisions of the Bill. The objections taken to its details by the hon. Member were matters for consideration in Committee, and did not at all affect its principle, which the House would do well to sanction. The fact of the condition of the health of seamen was of great importance, as was well known to everyone who engaged them for voyages. He might state an instance wherein he himself had engaged a crew for his yacht. The vessel got into a position of imminent danger, and owing to the condition of three or four of the sailors, who were diseased, they were utterly helpless and unable to work; and the yacht and the lives of those on board narrowly escaped being lost. Considering the special temptations to which our seamen were often exposed, he thought the medical examination to which the Bill proposed to subject them involved no greater interference with their personal rights than was justifiable for their own good under the circumstances. With regard to the Board of Trade, their incompetency and indisposition to take the necessary steps for providing a remedy to obtain an efficient supply of sailors was to be regretted; and he therefore hoped the House would not longer postpone the matter, and would support the second reading of the Bill of the hon. and gallant Member for Gravesend.

MR. GOURLEY complained of such a measure being presented to the House without any reason assigned for it. The object of the Bill was really to apply to seamen the principle of the Contagious Diseases Acts—a principle which was quite opposed to the feelings of the masses of the people. Moreover, the measure was totally unnecessary. The amount of inefficiency arising from sickness among seamen was in point of fact very small, and the evil it proposed to remedy was already treated by the ordinary institutions of the Service. The great evil with which we had to contend in connection with that class was intemperance, and it would be well if the existing temptations to drink were diminished. At a public meeting of seamen held last year in Sunderland, every one held up his hand in opposition to the principle of this Bill.

MR. WHEELHOUSE took exception to the arguments which had been urged against the Bill. These had all been directed to matters of detail. For instance, if it were found desirable, it would be easy to introduce a few words

in the clause exempting the stewardess from the provisions of the Bill. Really, if, on the second reading, the Bill could only be met with objection on matter of details—if nothing else could be shown than that, it would indicate that such a Bill or such a principle as that involved was a necessity to the Mercantile Marine. He did not think there could be any doubt in the mind of any human being that something should be done in reference to this particular evil. When he heard the hon. Member for Sunderland just now speak of New York, he was reminded that there was something like the principle of this Bill actually in operation there, and owing to that, among other causes, shipowners in New York found it more easy to man their vessels effectively than we did at this moment in this country. With regard to certain classes of disease among sailors, it was desirable, not to say necessary, to take some steps. Surely, without going into the details of the Bill, or squabbling as to whether women should be included in these examinations, the House should assent to the principle of the measure, and so mould it, even at the instance of a private Member, failing the Government taking it in hand, as to be a permanently useful measure. He confessed he would much rather see a matter of this kind introduced with Government influence though on the lines indicated. It should be an efficient measure, dealing with a great evil. No one who had any knowledge of our Mercantile Marine would say that relatively it was a worse class than any other in the country, and certainly he had no wish to depreciate it; but it was a profession beset with temptations on all hands, and without saying the Bill was everything that could be desired, he was extremely anxious that something should be done to provide for the health of those going to sea. He cared very little if that were done by this Bill, or effected by any Governmental action; but he would be content if by ventilating this question now or hereafter, either the Government, or a private Member, should take into consideration the fulfilment of a duty which he regarded as a public one. But whether it were so or not, it was one essentially necessary for the well being of the seamen and of our Mercantile Marine.

SIR HENRY HAVELOCK thought the measure one of the most impracticable which had ever been introduced in that House, and stated that both by seamen and by shipowners its principles and details had been universally condemned.

MR. GORST also opposed the Bill, which contained two principles—the one was the compulsory examination of seamen, and the other was a tax of 5 per cent upon them for such examination. It appeared to him that both principles were highly objectionable, and opposed to the principle of civil liberty. He argued that there was no public necessity for the proposed examination; and even if such a necessity existed it was not the seamen, but the country, that should be taxed for the purpose.

SIR EARDLEY WILMOT said, there was nothing extraordinary in requiring men to undergo a medical examination for their own good. It was done in the case of candidates for the Indian Civil Service. In the present matter the country which was most jealous of civil liberty—namely, the United States—set us an example, and made the very same deduction from the wages of the seamen which was proposed in the Bill before the House. He hoped the right hon. Gentleman at the head of the Board of Trade would take the question into serious consideration.

SIR CHARLES ADDERLEY observed that the object in view was undoubtedly similar to that of the Contagious Diseases Acts, it being for the interest of the public to guard the health of the men engaged in the service of the Mercantile Marine. The present Bill proposed a compulsory inspection of the men at the time of engagement, and this he opposed on the simple ground that it was impossible. Was it likely that the owners or the masters of ships would endure a system which forbad the crew to sign the articles till they had submitted to a medical examination? Was the shipping service of the country to be stopped for such a reason as that? It was true that the evil which it was sought to remedy was a serious one. He believed a very large proportion of the accidents at sea were due to seamen being unfit for service when they went on board. Frequently it was necessary for ships to put into port simply for the purpose of getting rid of such men and putting others in their place. It would be well if this state of things could be remedied, but unfortunately the plan

proposed by his hon. and gallant Friend was not practicable, and on this ground he disapproved the Bill. If the seaman refused the examination, the hon. and gallant Member had not provided by his Bill any police force to proceed to bind and strip him for the purpose of undergoing such examination. If the House passed such a Bill it would remain inoperative. The existing law, he might mention, provided for the inspection of seamen voluntarily. In connection with every shipping office in the country there was a medical officer whose services the master of a ship might procure for a very small fee—a shilling an inspection, he thought. He did not see what else could be done unless it might be to offer an absolute inducement to the seamen to undergo examination. With regard to the proposal which was also contained in the Bill that hospitals should be established at certain ports in the Kingdom at the expense of all seamen—in other words, that in particular places a special and local provision should be made by a tax levied upon sailors in general—he thought it was a proposal so manifestly unfair that the Mercantile Marine could hardly be expected to concede or even to entertain it for a moment.

MR. BIGGAR hoped that the measure would be read a second time.

SIR HARCOURT JOHNSTONE protested most strongly against this Bill becoming law.

CAPTAIN PIM denied that seamen were hostile to the Bill, for Petitions in support of it had been adopted at large meetings of sailors, and urged that there was a great necessity for such a measure being passed. He held that at the present time the Mercantile Marine of this country was in the most disgraceful condition of which it was possible for any man to conceive; and he had no hesitation in saying that if the principle of the Bill had been in force in this country many and many a ship which was now lying at the bottom of the sea would have been saved. It had frequently been found that owing to the sickness of certain men the rest of a crew were unequal to the work of managing a vessel in a gale of wind. His Bill was founded upon the American plan of dealing with this subject, and that plan had been found to work most satisfactorily. If the House endorsed the principle of the measure by assenting to the second reading, he should be willing to agree to the introduction of Amendments in Committee.

MR. T. E. SMITH thought the Bill would be quite unworkable. It would, in his opinion, be utterly impossible to carry such a measure into execution. He denied that there had been any deterioration of the men in the Merchant Service during the last 25 years. Indeed, anyone who made such an assertion only showed his ignorance of the whole subject.

MR. JAMES entered a protest against the attempt of the hon. and learned Member for Gravesend to Americanize our Merchant Navy.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 11; Noes 212: Majority 201.—(Div. List, No. 130.)

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

POOR LAW GUARDIANS ELECTIONS (IRELAND) BILL—[BILL 46.]

(Sir Colman O'Loghlen, Mr. Callan, Mr. M. Brooks, Mr. M'Carthy Downing.)

SECOND READING.

Order for Second Reading read.

SIR COLMAN O'LOGHLEN, in moving that the Bill be now read the second time, said its object was, as stated in the Preamble, to provide that the election of Poor Law Guardians in Ireland, who were now elected by voting papers, should for the future be elected by Ballot. He confessed that he could not understand why this principle should not be adopted. Members of Parliament, members of municipal corporations, and members of school boards were elected by Ballot, and he could not see any reason why Poor Law Guardians should not be elected in the same way. He might be told that if the Guardians were elected by Ballot, persons having property who were not present could not vote, as they now could by voting papers; but the House must remember that property was represented on Boards of Guardians by a certain number of *ex-officio* Guardians on the Board, and the Bill did not propose to interfere in any way with them. He had received

letters from all parts of Ireland, approving of the principle of his measure, and saying that under the present system intimidation to a vast extent was still carried on in many districts; that a large quantity of voting papers were signed under compulsion, and that if the Boards of Guardians were to represent the ratepayers the same privileges must be given to persons voting for their election that were given to those who voted at other elections—namely, the privilege of the Ballot. Since the Bill had been printed he had also received a number of letters from various towns in England approving of the principle of his measure, and saying that the principle ought to be adopted in England. It was then too late to propose and introduce a Bill for England; but he need not say that if the principle was adopted in Ireland, it must also be adopted in England, and he would give all the support in his power to anyone who would bring in a similar Bill for England. The Bill provided that the Local Government Board of Ireland should issue a sealed Order, regulating the manner in which the election of the Guardians should be carried out by Ballot. The object of this was to prevent a large quantity of details being put in the Bill, which would have been necessary if he had proposed a plan of electing Poor Law Guardians in Ireland. He gave the power to the Local Government Board, and in doing so he had only followed the plan adopted in England when school-board members were to be elected, which gave the same power to the Privy Council in England. The Bill also provided that school-rooms, police barracks, and court-houses should be used for the purposes of elections free of charge. The object of this provision was to save as much expense as possible, in order to meet the argument which had been raised—that if the plan proposed in the Bill was adopted the elections of Poor Law Guardians in Ireland would become more expensive than they were at present. The other two clauses of the Bill simply related to matters of detail, which he need not now go into. He only asked the House to affirm by the second reading the principle of the Bill. He hoped the Bill would not be talked out, because the people of Ireland were anxious that a division should be taken upon it.

Sir Colman O'Loghlen

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Colman O'Loghlen.*)

MR. S. MOORE, in moving, that the Bill be read a second time that day six months, said, he could not quite believe that intimidation existed to anything near the extent stated by the right hon. and learned Member for Clare (Sir Colman O'Loghlen). His great objection to the Bill was on the grounds of the expenses it would entail, because it was clear that if the measure was passed, a very expensive machinery would be necessary for the election of Poor Law Guardians in Ireland. If in every place where Guardians were elected, school-houses or police barracks were required it would be most expensive. In fact, the same machinery would be required for the election of Poor Law Guardians, who were only elected for one year, as was required for the election of a Member of Parliament. Agents and clerks would be required at every place, and if there were several candidates closely contesting, the expense would be simply enormous. He did not think that the country would care to bear all the expense which would be imposed by the Bill, and he did not believe that the right hon. and learned Gentleman would like to put it on the Guardians themselves. There was, further, in his opinion no necessity for changing the present system, and for the various reasons he had stated, he would move the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Stephen Moore.*)

MR. M'CARTHY DOWNING said, he believed the change proposed by the Bill to have Poor Law Guardians elected by Ballot to be absolutely necessary. He had had some experience in the matter, and he was exceedingly surprised to hear the hon. Member for Tipperary (Mr. S. Moore) say that he was not aware that intimidation had been practised at the election of Poor Law Guardians in Ireland. He (Mr. M'Carthy Downing) knew of his own knowledge of voting papers being sent to certain tenants on certain properties, and no sooner were they delivered by

the police than they were taken up by the landlord, who took them to his own house, and then the tenants had to vote as he wished. That was a case which came under his knowledge, and he undertook to prove it. In another case the same thing occurred; while in other cases voting papers were altered. He remembered when the Ballot Bill was passing through that House he took upon himself to put down some Amendments to that Bill. One of his Amendments was that the Bill should apply to the election of Town Commissioners, so that the voting for members of those Bodies should be by Ballot. He also put down an Amendment upon the Paper to the effect that the voting for the election of Poor Law Guardians should be by Ballot. The result, however, was that he was told if he pressed both his Amendments, both might be lost, and upon a recommendation being made to him he did not press the latter Amendment. He wanted to know how the Attorney General for Ireland could possibly object to the present Bill. Why should not the same protection be given in Ireland to the persons who voted for the election of Boards of Guardians as was given to persons who voted for the election of Town Commissioners? The House knew pretty well the coercion which now existed, that it was very great, and in many respects equal to what was used in elections for certain boroughs or counties. There was the landlord on the one hand, and the priest on the other. The landlord came to the tenant and said—"Vote for so-and-so;" and the clergyman, on the other hand, came and said—"Do not be intimidated; vote for the best man; vote as you please." He knew of nothing which had caused so much disunion in Ireland as the present system of electing Poor Law Guardians. Under the present system the landlord had six votes as occupier of the land, and six votes as owner in fee, making in all 12 votes. Independent of this, the landlords tried to coerce their tenants; and he had no hesitation in saying that, in his opinion, it was most unjust that the same protection was not given to those who voted for the election of Poor Law Guardians which was given to those who voted for the election of Members of Parliament. As to the expense, it would be much less under the Bill than it was at present, and so insignificant as not to be considered.

MR. BRUEN said, he could not support the measure before the House. His experience—which he believed to be that of most Irishmen—of the election in Ireland of Poor Law Guardians did not run in the same line as that of the hon. Member who had just spoken, and who had over-stated the matter. He believed that in the greater part of the country there was an absence of intimidation in connection with such contests. He thought his hon. Friend ought to have given the name of the gentleman to whom he referred as having been intimidated. The election of Poor Law Guardians was not at all the same as that for Members of Parliament, and he submitted that logically there was no necessity for the Ballot, the system of voting papers being, as he thought, not open to much abuse. The Bill would render a very expensive machinery necessary, and it would not be easy to get a sufficient number of returning officers and polling places. In short, the present system was much more convenient.

CAPTAIN NOLAN said, that in the speeches made by the hon. Members who opposed the measure, he fancied he heard the speeches which were made on the Ballot Bill in 1872. Many Conservative Members then took the same objection to the Ballot Bill, and said the machinery was expensive and cumbersome, and was not required. He was not surprised that the same arguments should be trotted out again, because this was practically the same question—namely, whether the landlord should be allowed to use his influence, or the voter should be allowed to vote as he liked. He was quite certain there would be no expense attendant upon the adoption of the Ballot at elections in Poor Law Unions. In the majority of cases with which he was acquainted, the Ballot would take place at ordinary polling stations. The expense of additional stations would be very small, as the existing Ballot Act required that there should be a Ballot station within four miles of every voter, except in mountains or thinly-populated districts. In every Poor Law Union there were at least 30 or 40 officials who could manage the election without charge

to the Poor Law Board. He thought that if Irish voters grudged to walk one or two miles to record their votes, they did not deserve to have votes. Such an objection was hardly one that an opponent of the Bill should take, unless he wanted to fall back upon an attack on the machinery of the Bill instead of its principles. He thought the case was rather stronger for the Bill than it was for the existing Ballot Act, as the system proposed was much simpler than the existing one, under which the voting papers sometimes miscarried, or were tampered with. Territorial influence must be stronger in proportion as the area in which it was exercised was circumscribed. A candidate putting up for election for the Board of Guardians would be well known to landlord and agent, whilst a candidate to represent the county in Parliament would probably not be so well known; and, moreover, a Parliamentary Election only occurred every four or five years. Consequently, the Ballot was absolutely more necessary in elections for Boards of Guardians than in Parliamentary Elections. A case which had recently come before the Clifden Union, in the county Galway, showed the necessity for the Ballot. This was a case in which the Union had to decide whether a child should be educated in the Catholic or the Protestant religion. When the Poor Law Board had to decide upon such a case as that, it was very important that the elections should be perfectly free from all suspicion or doubt.

MR. W. BEACH thought the present mode of electing Guardians was very satisfactory, and that there was no necessity for making any change.

MR. HIBBERT said, he did not feel competent to speak as to the mode in which elections were carried on in Ireland; but he knew that there was in England a strong feeling in favour of improving the present system of electing Poor Law Guardians, and that must be his excuse for saying a few words on an Irish Bill. Nay, he would go further, and say that gross abuses prevailed in England in connection with these elections. If that were so in England, he had no doubt the same might be accepted as being the case in Ireland. He did not think the system expensive, as there were few contests; but in any case he thought there ought to be, and hoped the Government would grant, an inquiry by a Committee of the House into Poor Law Elections in England, Ireland, and probably in Scotland.

SIR MICHAEL HICKS-BEACH said, that if he could have supposed that there was any probability of this question being brought under the notice of the House on that occasion, he would have armed himself with statistics on the subject, which would sufficiently establish not only the statement of the hon. Member for Oldham (Mr. Hibbert) as to the comparative unfrequency of contests, but which he thought would satisfactorily have shown how very rarely in these contests such scenes occurred as those which had been described. They were not unfrequently asked by hon. Members for Ireland to assimilate the law to that of England. He wished to call the attention of the House to the fact that in this matter they were asked to go in another direction, and to make a change in regard to the law of electing Poor Law Guardians in Ireland which had not been seriously proposed by anyone for England. It must not be forgotten that the law regulating the election of Guardians was practically identical in both countries, and no change should be made unless the House was satisfied that the whole Poor Law system should be changed, or that there were circumstances in Ireland calling for a change which did not exist in England. He should be disposed to dispute both propositions. He did not see that there was any necessity for a change in the Poor Law in both countries, and he was by no means satisfied that there was anything in the circumstances of Ireland which would justify the adoption of a different system in that country to that prevailing in England. The hon. and gallant Member for Galway (Captain Nolan) told the House that they had under their consideration precisely the same question as Parliament had already dealt with in Parliamentary and municipal elections. But the Ballot had been introduced into Parliamentary and municipal elections mainly because it was alleged, not merely by Members of the House, but before a Select Committee that bribery, intimidation, and other corrupt practices largely prevailed in

those elections. They had no such proof whatever in regard to Poor Law elections in Ireland or England. It should also be remembered that there were special advantages in the present system of election of Poor Law Guardians in the two countries, which certainly ought not to be overlooked by those who paid attention to the question. To begin with, the system was undoubtedly a cheap one. Whatever arrangements might be made, such as those suggested in the Bill, for utilizing school-houses, any adoption of the Ballot would materially increase the cost of elections. The present system elicited the whole of the votes, which no system of balloting was likely to do. In comparatively few cases was there any political or religious issue at stake as in Parliamentary or municipal elections. In Poor Law elections the real question generally was the proper and impartial administration of the Poor Law. There was no doubt that the present system of the voting papers being left at the houses of voters, and being called for by the proper officers, did afford to the voter a means of recording his vote with less trouble than any other. It was said that the system was abused, or at any rate that it was liable to abuse. He admitted that cases had been known in England and Ireland, where the system had been abused. In Ireland there were nearly 3,500 separate electoral divisions, and considering that there was a fresh election every year, it was wonderful how few contests took place in which the returns were disputed and eventually set aside by the Poor Law Board. The Mover of the Bill had not touched upon the plural voting for Poor Law Guardians, which rendered that machinery necessarily different from that of Parliamentary or municipal elections. He left all questions of this kind in the hands of the Local Government Board, who would have no little trouble in dealing with that matter, and would be certain to receive censure from a great many quarters in whatever way they attempted to settle it. The hon. Member for Oldham (Mr. Hibbert) said he approved of the principle of the Bill sufficiently to enable him to support the second reading. In saying that, the hon. Member had guarded himself to a certain extent by admitting that an inquiry into the subject ought first be instituted. He (Sir Michael Hicks-Beach) spoke for himself alone, and without committing his Colleagues, but his own individual feeling was that he should be extremely glad to see such an inquiry. If malpractices existed, he should like facts to be laid before the House and the country to show that they prevailed to such an extent as had been described. He was not convinced that there was any necessity for a change, and he thought there would be great difficulty in finding adequate machinery for the purpose. Under these circumstances, he was unable to support the second reading of the Bill.

MR. PLUNKET said, that no case on which to found a change in the present system of election had been made either by a Commission, a Select Committee, or by any other official inquiry. It was shown that wherever there was a contest for the election of a Poor Law Guardian the election under the proposed system would be attended with a considerable increase of expense.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 109; Noes 174: Majority 65.—(Div. List, No. 131.)

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

MEDICAL ACT (1858) AMENDMENT (NO. 2) BILL.

On Motion of Mr. ERRINGTON, Bill to amend "The Medical Act, 1858," *ordered* to be brought in by Mr. ERRINGTON, Mr. DILLWYN, and Mr. JOHN MAITLAND.

Bill *presented*, and read the first time. [Bill 172.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (BRIDLINGTON, &C.) BILL.

On Motion of Mr. SALT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Local Government districts of Bridlington, Dinas, and Grange, the borough of Hastings, and the Local Government districts of Pudsey, Tunbridge Wells, and Whittington, *ordered* to be brought in by Mr. SALT and Mr. SCLATER-BOOTH.

Bill *presented*, and read the first time. [Bill 170.]

COMPANIES ACTS AMENDMENT BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Companies Acts of 1862 and 1867.

Resolution *reported*:—Bill *ordered* to be brought in by Mr. EDWARD STANHOPE and Sir CHARLES ADDERLEY.

Bill *presented*, and read the first time. [Bill 171.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 17*th May*, 1877.

MINUTES.]—*Sat First in Parliament*—The Marquess of Northampton, after the death of his Brother; the Lord Sudeley, after the death of his Brother.

SELECT COMMITTEE—*Second Report*—Intemperance.

PUBLIC BILLS—*First Reading*—Provisional Orders (Ireland) Confirmation (Artisans and Labourers Dwellings) * (78), and *referred* to the Examiners; Provisional Orders (Ireland) Confirmation (Ennis, &c.) * (79), and *referred* to the Examiners; Metropolis Improvement Provisional Orders Confirmation (Great Wild Street, &c.) * (81), and *referred* to the Examiners; City of London Improvement Provisional Order Confirmation (Golden Lane, &c.) * (82), and *referred* to the Examiners; Greenock Improvement Provisional Order Confirmation * (83), and *referred* to the Examiners.

Committee—Burial Acts Consolidation (27-80).

Report—Solicitors Examination, &c.* (76).

Third Reading—Bankruptcy Law Amendment* (41); South Africa * (77), and *passed*.

Royal Assent—Customs and Inland Revenue (Duties on Offices and Pensions) [40 *Vict.* c. 10]; Judicial Proceedings (Rating) [40 *Vict.* c. 11].

PRIVATE BILLS.

Ordered, That Standing Orders Nos. 92. and 93. be suspended; and that the time for depositing petitions praying to be heard against Private and Provisional Order Confirmation Bills, which would otherwise expire during the adjournment of the House at Whitsuntide, be extended to the first day on which the House shall sit after the recess.

BURIAL ACTS CONSOLIDATION BILL.

(*The Lord President.*)

(NO. 27.) COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee on the said Bill."—(*The Lord President.*)

THE EARL OF REDESDALE said, that as he would not be able to address their Lordships on the Bill when the House was in Committee (being Chairman of the Committee), and as he had not spoken on the second reading, perhaps their Lordships would permit him to say a few words on the Motion now before the House. In the first place, he wanted to point out that no one had an absolute and unconditional right of burial in the parish churchyard—the right each parishioner had was a right subject to certain conditions; and the object of this Bill was to deal with the conditions under which the right was now possessed. The parish churchyard was not the property of the parish, but the property of the Church—in the same way that the building in which Divine service was performed and the rectory or parsonage was the property, not of the parish, but of the Church. The question, then, for their Lordships to consider was—were the conditions annexed to right of burial in the churchyard reasonable or unreasonable conditions? The churchyard was consecrated to God for the burial of those who belonged to the Church, and the sole existing condition was that the funeral service should be performed by the clergyman of the church to which the burial place belonged. That was a very important point to consider in coming to a conclusion on this subject. It was unreasonable to demand an unconditional right of burial, and many persons thought that if it were conceded it would only be the prelude to further claims. The demand now made on behalf of the Dissenters involved within itself the right of Dissenters to perform the burial service, the service of matrimony, the service of baptism, and the ordinary services of Dissenters in the parish church. He said, therefore, that the demand was a monstrous one. To show that he took no extravagant view as to the demands of the Dissenters, he begged to call

their Lordships' attention to this passage, from a speech reported to have been made on the 18th of April last by Mr. R. W. Dale, one of the accredited Liberationist leaders, at a meeting held in Birmingham. It was in these terms—

"Nonconformists had not concealed what their real intentions were. What they were going in for was complete religious equality in life as well as in death; and as they asserted that the graveyards belonged to the parish, so they asserted that the Church belonged to the parish. They did not intend to disguise how far their principles carried them."

It was clear to him that this movement concerning the churchyards was a purely political movement—it had been got up to promote political excitement. He did not believe there was a bit of conscience about it—it was got up for political excitement, and for nothing else. The noble Earl (Earl Granville), on the occasion of the second reading, alluded to a pamphlet written 40 years ago, in which the Dissenters urged their grievances. That was at a time when they were agitating for the abolition of Church rates, in respect to which he ventured to think they regarded their pockets more than their consciences. The only objection ever raised to the Burial Service of the Church of England was that it was too charitable. The present movement had been got up to keep a political fiction in existence, and that fiction was called "the Great Liberal Party." It was a fiction for this reason:—What was a Party? An association of men who maintained the same principles. There might be shades of differences in their opinions, but they all maintained the same principles. Did "the Great Liberal Party" maintain the same principles? A large number of the members of that Party—all their Lordships, he believed—even those who sat on the other side of the House were Monarchical, and bore true allegiance to the Queen; but many of the members were Republicans—but both belonged to "the Great Liberal Party." Not a few of that Party supported the Church Establishment; large numbers of them were bitterly opposed to it, and would uproot it altogether; but both sections were still members of "the Great Liberal Party." The fact really was, that it was not a great political Party, but a great political humbug. It was kept up only by a succession of cries, such as that of throwing open the churchyards to Dissenters and their services. Under the appellation of Liberal principles, measures were adopted at one time which were repudiated at another, as the only means of keeping "the Great Liberal Party" together. At one time the demand of the Dissenters for opening the churchyards was viewed with horror by a leading exponent of the opinions of "the Great Liberal Party." Here was what was stated by *The Edinburgh Review* in 1834, when the Reform Government was still in existence; when Earl Grey was Prime Minister; when Lord Brougham was Lord Chancellor; Lord Lansdowne, President of the Council; and Lord Althorp, Leader of the House of Commons—

"We must, however, in passing, remark that nothing can exceed the want of fairness and of common reason shown by some among the sectaries in discussing these questions. Thus they claim the right of burial in the very churchyards which they refuse the means of supporting. 'Let there be no rates,' say they; 'let Churchmen keep up the churchyard; but let us who pay nothing towards it have the privilege of burying our dead in it.' Except among Irish landowners and the accomplices or dupes of Irish agitators, was ever so glaring a want of fairness as in this pretension? We trust it is confined to a small body of the English sectaries."

What was the course now taken by the representatives of the statesmen he had just mentioned? What their Predecessors condemned they found themselves forced to support for the sake of "the Great Liberal Party," and were led on from bad to worse. Let them take timely warning.

THE ARCHBISHOP OF CANTERBURY: My Lords, I find myself in considerable difficulty in reference to this matter, and unless I took this opportunity of explaining the position in which I stand, I should not be doing justice to myself and those whom I represent. On two or three occasions I felt it my duty to speak against Resolutions proposed by the noble Earl opposite (Earl Granville), and on every one of those occasions I took the opportunity of saying that I thought it was a mistake in the noble Earl to proceed by way of Resolution instead of by endeavouring to introduce in the Bill when it got into Committee such Amendments as would make the measure satisfactory to all parties. It is not desirable, my Lords, nor would it be respectful to your Lordships any more than to the Clergy and others interested

in this question, that the words which I utter on this matter should have any uncertain sound, and that being so, I am desirous of explaining before the House goes into Committee, the views generally which I entertain on the Amendments before your Lordships. My Lords, my opinion is that the time has undoubtedly come when this matter, for the sake and in the interest of the Church of England, should be settled. I was in hopes when this measure was laid before your Lordships that there was every prospect of the question being settled. The 74th clause, which in its present shape is objected to by many persons, seemed to me, if not in itself entirely satisfactory, to afford the means by which a satisfactory settlement might be obtained. I am, therefore, placed in a position of some difficulty when I find that the 74th clause, if it has not actually disappeared, is very likely to disappear from the Bill. The cause of my difficulty I shall state very briefly. Nobody who listened to the debate and who has considered the division on the second reading of the Bill could, I think, have failed to come to the conclusion expressed by my most rev. Brother (the Archbishop of York) in speaking against the noble Earl's Resolution—namely, that the time when this question must be settled is near at hand; and that, at the same time, no one could doubt that no settlement was possible except in the direction of some greater concession to the Dissenters than that embodied in the 74th clause. Looking to the discussion on the second reading, and to the reasons given in that discussion by those of your Lordships who spoke in support of the Bill, I think that what occurred on the occasion to which I am referring pointed to the expediency of maintaining the 74th clause and amending it, and therefore, my Lords, I cannot but think it a mistake to withdraw that clause altogether, because, defective as that clause was, it promised to give us some sort of solution of the difficulty; and its withdrawal leaves the Bill one dealing only with matters of sanitary reform, which have very little to do with the question which is exciting so much interest at the present moment. I have always spoken with a certain amount of hesitation on this subject, because I felt myself opposed to the feeling of a large body of the Clergy; but, on the other hand, I must say that it is not an easy matter to ascertain the opinion of the whole Clergy on such a question. Though, if the Clergy were polled on the subject, I believe the opinion of a large majority would be found opposed to any compromise on this question; yet I venture also to say that there is a large and influential minority of them who are of opinion that it would be a dangerous matter to delay the settlement of this question. As strong evidence of this I may mention that two newspapers which are known as Clerical or Church papers, and which respectively represent very different sections of opinion in the Church of England have both within the last two or three weeks expressed very decided views in favour of settling this question. I was in hopes that a new class of Resolutions which have been before your Lordships for some days would afford a satisfactory solution of the question; but, at the same time, I felt that as soon as we began to grapple with the work of settlement, and came to the point of making concessions to the Dissenters, then, on the other side, concessions must be made to the Clergy of the Church of England, who have a considerable and practical grievance in connection with the Burial Laws, which would not have been removed by the Resolutions on the Paper. Your Lordships will remember that as far back as the year 1863 there was a long and important discussion in this House as to the relief which should be given to the Clergy in respect of the compulsory duty of reading the whole Church Service over persons at whose funeral there was a religious service in the churchyard, but who were not in communion with the Church. It was to meet such difficulties that my most rev. Brother and myself gave Notice of Amendments, with the view of bringing about what I think every one would agree to be only a fair concession to the Clergy. Passing from that, let me say a word on the proposal of the noble Earl near me (the Earl of Harrowby). The noble Earl has given Notice of an Amendment which I had hoped would have proved a solution of the question, but which has not, it appears, received from Her Majesty's Government that amount of support which he had hoped for—they thought that it did not contain sufficient safeguards; but the noble Earl has expressed his wil-

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lingness to provide addititional safeguards, and therefore it is within the bounds of possibility that the Government may not oppose the proposal of the noble Earl. If we discuss this point now I think we shall be better able to understand the relations in which these clauses stand to each other. I repeat, my Lords, that it is not desirable the Bill should go forward as a simple matter of sanitary reform. It might, perhaps, be carried in this House in such a form even by a considerable majority; but I should be much surprised should we hear any more of it after that triumphal progress. I have expressed my desire to have this matter settled—my reason is my belief that it will be dangerous to the Church of England to leave the matter open any longer. I do not say it is desirable in the abstract to make the concession; but I do say that it is inevitable. Every Speaker who addressed your Lordships on the second reading—even those who were in favour of the Bill—said that this concession must sooner or later be made. If, then, it must be made, surely it would be better to make it with a good grace. Corresponding concessions might now be obtained for our own Clergy which it may be impossible to obtain hereafter. I, for one, should regret if we went to a General Election with this question open before the country. It is not desirable that the whole country should be divided upon a question which ought not to enter into a political contest at all. Great injury, I cannot help thinking, will be done if the impression should get abroad in the country that the Church of England is unable to accept in a generous spirit any proposal for the settlement of a question like that now before your Lordships.

THE BISHOP OF PETERBOROUGH: My Lords, I ask your Lordships' indulgence before the House goes into Committee on this Bill. As I differ from the most rev. Primate I am anxious to express my views to your Lordships. I deeply lament that I am obliged to differ from his Grace, but I am sure that no one will more heartily pardon me for that difference than the most rev. Primate himself. I feel most thankful to him for having afforded us an opportunity of putting before your Lordships the real situation in which we are placed before we are called upon to go into Committee on this Bill. My Lords, I hope you will pardon me for a few moments—especially as I had not an opportunity of addressing the House on the second reading—if I endeavour to state my views in reference to the Bill and to the Amendments now on the Paper—for no definite conclusion can be arrived at before it is clearly settled what relation there is between the Bill and the Amendments. I think I cannot better describe the position in which the House is placed than this — We are called upon to vote for the second reading of a perfectly new Burials Bill. The Amendment of the most rev. Primate, if Clause 74 is struck out, will make an entirely new Bill, which will not have any necessary connection with that presented by the Government. I hope that if I point out the difference which exists between my views and those of the most rev. Primate I shall not be understood as underrating the importance of what he has said in the observations which he has just addressed to your Lordships. Now, will not this be practically a new Bill? In the object sought to be effected I entirely sympathize with every word which has fallen from the most rev. Primate. I feel it is important for the Church of England—and I will say for the Christianity of this country—that as soon as possible we should close this miserable controversy which is now being carried on over the open graves of this country. I am also happy to agree with the most rev. Primate that if ever this controversy is settled it must be by a compromise. But when the most rev. Primate sketches the compromise, there I must part with him. In his sketch the most rev. Primate says that the measure of concession consists of two parts—first a great concession is made to the Dissenters, and then a great concession is made to the Clergy; and he calculates that those concessions so balance one another, that the Clergy may be induced to agree to the concession made to the Dissenters in return for the concession of them. Now, my Lords, I am entirely in favour of a compromise. But a compromise should have two elements. It should be a satisfactory compromise, and it should be a lasting one. A compromise that will not last beyond the hour in which it is made, and that is not based on a satisfactory principle, is not one which ought to be adopted. In my

opinion the compromise of the most rev. Primate is of that class. It has not the element of being satisfactory, and I am convinced it has not that of being lasting. But allow me to state to your Lordships why I think that. The most rev. Primate's settlement or compromise may be considered in respect of the manner it affects Churchmen, and it may be considered in respect of the manner it affects the Dissenters. I propose to examine it in both respects. The most rev. Primate proposes that the Clergy and Laity of the Church — for this is not solely a Clerical question; the Laity feel as strongly in the matter as the Clergy— should receive a certain concession, and that there should be a concession to the Dissenters. Now what is the concession to the Dissenters? It is absolutely everything against which the Clergy have been contending. Whether rightly or wrongly it concedes this is a question which for the moment I do not argue; but I do say that with the Amendments of which we have heard, this Bill will be what is known as Mr. Osborne Morgan's Bill. Well, that is what it is proposed the Clergy should accept. Obviously this is extremely distasteful to many of the Clergy and Laity of the Church, and for this reason — They believe that a plain principle in involved in this question. The Clergy have been subjected to cruel injustice in connection with this question—they have been accused of a "bigoted sacerdotalism" and "clerical tyranny;" but it should be borne in mind that their feelings are deeply interested. The Clergy are a much more liberal body than they are represented to be, and in this case they act on what they conceive to be a plain principle. They assert that churchyards belong to the Church; and there never has been a serious attempt to disprove that. I know it is flaunted daily in our faces that the churchyard belongs to the parish; but I repeat that there has been no attempt to prove this. Then, I say that the proposal now made in respect of the churchyards will deeply distress many of the Clergy; and what is offered them by way of compromise to induce them to accept it? What gilding is there round this bitter pill which they are called upon to swallow? I take first the two Amendments of the most rev. Prelates, which profess to be large concessions to the Clergy. The Clergy first asked for the relief which those concessions are meant to afford them. Long ago and repeatedly the Clergy asked it; but again and again most rev. and right rev. Prelates delayed to give it to them; but now the most rev. Prelates come forward and say—"You shall have what is just and right and expedient, but you shall not have it unless with it you concede what is unjust, unrighteous, and inexpedient." I do not think that is a very conciliatory policy towards the Clergy. I do not think it will tend to the peace of the Church that the most rev. Bench should come forward with a vast, enormous, perilous, and dangerous concession. The relief proposed by the most rev. Primate of whom I have the honour to be a suffragan (the Archbishop of Canterbury) is that the clergyman who holds that the performance of the services of the Church of England would under the particular circumstances of the case be scandalous and offensive, may omit to perform it; but he may not refuse unless he transmits a statement of the grounds of his refusal to the Bishop of the Diocese; who is to declare, in writing, whether it has been shown to his satisfaction that there were reasonable grounds for such refusal. Why, my Lords, this is to give the Clergy *post-mortem* excommunication, and the right to pronounce posthumous libels on the parishioners. This would be simply to transfer from the necks of the Dissenters a yoke which they deem intolerable to the necks of the Churchmen. The present scandals would, in fact, be succeeded by other infinitely greater. The burial scandals between Dissenters and the Church of England are to be done away with, and burial scandals between the clergy and parishioners substituted in their stead. I very much doubt whether the Clergy will accept this concession, and I doubt whether the Laity in your Lordships' House and the other House of Parliament will accept it. The most rev. Prelate reminds me that this is an enlargement of a plan which I myself prepared. I am obliged to his Grace, for that forms the basis of my argument. What I proposed was a concession to the Dissenters, and not what this is—a concession to the Clergy. My proposal was intended to meet the case of those Christians who defer baptism till after the age of infancy. In order to meet

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their case, and therefore as a concession to them, I made the proposal which would have enabled the Clergy to read a different service over the children of those persons when such children died without baptism. That was a concession to the Baptist communion, and I regret that the Lower House of Convocation rejected it. This concession to the Clergy, coming from the most rev. Prelate is quite a different thing, and the moment the House adopts the noble Earl's Amendment it becomes perfectly needless. Then, putting together the concessions of the most rev. Prelates and the Amendments of the noble Earls, you have, on the one hand, an exasperating and humiliating concession to the Clergy, and, on the other hand, a concession alarming to the feelings of the Laity and repugnant to the feelings of the Clergy. I have the greatest respect for anything coming from the most rev. Prelates, but the proposal which has their approval on this occasion appears to me to be a sort of tripartite partition, very like the tripartite operation of opening an oyester. In this case it appears to me that while the oyster itself is handed to the Dissenters, the most rev. Prelates, with fatherly kindness and episcopal gravity, hand the clergy and Laity of the Church the two empty shells. But will the Dissenters accept what is offered? I hope they will not—if they are true to their religious and political honesty they cannot. What has been their demand? Religious equality. Again and again have they told us that their demand is religious equality for all Her Majesty's subjects. I ask, will the Resolution which the noble Earl (Earl Granville) proposes give that equality? It will do nothing of the kind. This proposal for equal rights stops short at "Christian." Unfortunately, my Lords, there are many subjects of Her Majesty who are not Christians. Will the Dissenters who support this compromise deprive Her Majesty's subjects who are not Christians of privileges which are to be conferred on orthodox Nonconformists? I should be sorry to believe of them that all their religious equality is to be confined to religious Nonconformists; that when they level down, they level no lower than themselves; and that when they demand equal rights of burial for all Her Majesty's subjects they have no intention of giving those rights to the unorthodox. I cannot believe that this measure will be satisfactory to them, unless you wipe the word "Christian" out altogether. No—I believe that in this proposal the Nonconformists are perfectly sincere, and when I read between the lines I think I can see very clearly what they mean. It is said that in the Amendment of the noble Earl there is the safeguard of a "Christian" service. That word affords no safeguard. The proposal for full equality in the matter of burial is carried between the lines to the heart's content of those who are agitating for the change in the present law. But the noble Earl proposes that the service must be a "Christian" one, under, if I mistake not, the penalty of misdemeanour. But who is to define what a "Christian Service" is? Is it within the capacity of Parliament, with all its combined wisdom, to define what is a Christian service? Can you define Christianity by Act of Parliament? How are you to secure that the services shall be Christian? The noble and learned Lord opposite (Lord Selborne) said that might be safely left to the tribunals of the country. Certainly, it might be, if the noble and learned Lord were to be the Judge in all cases—there is enough of law and enough of Christianity in the mind of the noble and learned Lord to secure a right decision on the point; but how will it be when you throw down the question to be decided by the ordinary tribunals throughout the country—before unlearned magistrates or before a jury, the foreman of which would perhaps tell you that he "does'nt believe in nothing." To have the definition of Christianity defined by such tribunals is a proposal that I cannot sufficiently characterize. Of the gentlemen of the long robe I wish to speak with the greatest respect; but it is not too much to say that they are not always typical saints, and if you have them discussing in Court what Christianity really is, you will have two burial scandals instead of one. The first burial scandal will be the service at an infidel funeral, and the second an unhappy wrangle in the Law Courts as to the meaning of Christianity. But we have often heard it said that in this matter of propriety of conduct in the churchyards we may trust to the good

feeling and upright minds and orderly dispositions of Englishmen generally. Well, if that is so, why provide this misdemeanour penalty? Why do you apply this legislative chloroform to induce quiet in the churchyards, if you do not fear that there may be an abuse of the liberty given by this Bill? Scandals have occurred, and, unhappily, will occur again. If I am challenged for an instance of disorderly conduct, I will give you an instance of it in a burial-place. I am a living witness in the matter—the thing has occurred within my own experience. Three years ago it was my good fortune or my ill fortune to be called on to consecrate a portion of a cemetery near a large town in my diocese. I found myself in the presence of a large mob of some 2,000 persons, drawn together by handbills which had been circulated during the previous week, in which the ceremony of consecration was described as "miserable howling" and "blasphemous mockery." Sentiments of this kind formed a running commentary in the service as it proceeded, interspersed with hooting and jeers and blasphemous jokes. I cannot say that personally I felt much resentment then, nor do I now. I contented myself with inflicting on them the painful humiliation of an Episcopal blessing and dismissed them from my mind. What was the result? The Burial Board, at whose request I had come, was invited to vindicate the law and prosecute those who had acted in the manner I have described; but it declined to do so; and there was some pleasantry about planting the freshly consecrated ground with potatoes, one gentleman expressing an opinion that consecrated potatoes would bring a very high price. These are the quiet, self-contained, well-conducted Englishmen on whose good feeling the noble Earl depends. It may be said that such scenes are rare. That may be true; but with quite as much truth it may be said that the instances of clerical bigotry are also rare. Again, it must be borne in mind that the most provocative man in the world will scarcely say an offensive thing when nobody is present. An infidel service in the corner of a large cemetery would have no zest; but an infidel service under the eave of the church and beneath the windows of the clergyman's house would have a relish. As your Lordships keep yourselves informed in modern literature you will remember the scene in one of Dickens' works where a schoolmaster wheels a boy in a hackney coach. The reason he gives for it is the novelty of the thing. He said it had a relish. I want to know what will be the feelings of a Christian mourner who, on visiting a churchyard and standing by a tomb on which is engraved an expression of his hopes in the Redeemer who has risen, hears an infidel lecturer delivering a blasphemous lecture, and declaring that there is no resurrection? One word more. I will ask the noble Earl this question—Does he regard these safeguards as efficient or not? If they were efficient, they would sow the graveyards of the country with an abundant crop of law suits. If not, what would become of the Christianity which he seeks to preserve? Who is to prosecute? Is it not a mockery to tell a poor clergyman that by the expenditure of a few hundred pounds he may get redress for the insults offered to him? Is that to be the protection which we wish to secure for Christianity? I say that there is no sufficient protection on the principle of religious equality which is supplied by the settlement of the most rev. Prelate or of the noble Earls opposite. I believe that the result would be that it would unsettle everything and settle nothing. It would replace burial scandals of one kind with worse burial scandals of another kind. It would fill our burial yards with scenes disgraceful to our common Christianity. And sore as is the shame and vexation of the present system, I believe that the vexations, the dangers, the scandal, the anger, and humiliation of the system which would take its place would be infinitely greater. The noble Earls have a right to say, If you reject this proposed compromise, have you nothing better to offer in its place? My Lords, I do not wish to leave things as they are. I do feel from my heart an intense desire for a speedy, peaceful, and righteous settlement of this great question. ["Oh!"] I do not know whether noble Lords opposite mean to deny my sincerity, but I assure them that I am as anxious for it as noble Lords opposite can themselves be—I am sincerely and honestly desirous that a controversy, which I have described as a miserable one,

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should be closed, and speedily closed. I have no sympathy with any jealousy or dislike of the Nonconformists. I would gladly welcome the prayer of any good man at the grave of the departed in any churchyard of which I might be incumbent, and far from thinking the churchyard desecrated by it I should hold that the graveyard had thereby received a fresh consecration. And if a Dissenting minister said to me—"My Christian brother, will you allow me to hold a burial service over one of my people who has never frequented the services of the Church," I should say—"Yes, most heartily and readily." Nay, more, I would listen to his service and say, "Amen," with bared head and reverent heart to the prayer of hope that rises from any Christian man over any Christian departed from this life. I would add that I am ready to clasp your hand across the grave, and to thank God that there is one place where the jealousy and strife of opposing creeds may be forgotten. But if the Christian Dissenter says—"I will not take your concession to the feelings of the mourners—I insist on beating down with an Act of Parliament the entire defences of your churchyard, and insist on marching in with the infidel and the blasphemer," then I reply—"I cannot consent, because you ask me to surrender rights which are not mine to give away." I would, however, most thankfully accept any service which had previously obtained the permission and licence of the incumbent. This is the only way in which you can secure a Christian service; because the safeguards held out to us in these Amendments are a mere paper fence of no greater value than the paper on which the Bill itself is printed. We hear of a prepared service, but we cannot have a better than that in the Prayer Book. The national Clergy are the natural custodians of the national graveyards, and I would allow the Dissenters to use any service of which they approved—with an appeal to the Bishop if you please. This would be a real concession. It is one that has worked well for 40 years in Ireland—a country in which, as your Lordships are aware, political and religious strife has never run quite so high as it does just now in England. But Lord Plunket's Burial Act has shown that it is quite possible to surmount the difficulty without strife and without scandal. There is no law now in England to prevent any Dissenting minister or layman from holding such a service in the parish churchyard with the consent of the incumbent. There may be an ecclesiastical law against it; but I have told the Clergy of my diocese that there is no danger of being prosecuted, and that no clergyman in my diocese shall ever be prosecuted with my consent for such a concession. This, I think, will show noble Lords opposite that I am in earnest in my desire to settle this question in a reasonable way. If, however, it comes to this that the two parties can come to no agreement—if the Churchman will not give you religious equality, and the Dissenter says—"I will take nothing short of it," then the best remedy is that which is found in the Bill, which says if you cannot agree about the churchyard, we will find you a place where, without scandal, you may agree.

EARL GRANVILLE: In what clause?

THE BISHOP OF PETERBOROUGH: The Bill without the 74th clause. It then becomes a sanitary Bill pure and simple. It says to the disputants, if you cannot agree here—and this is an unseemly place for strife—we will find you some place where you can agree. We will ask the Churchmen to give up the churchyards, and we will find new burial-places in which we may together lay our dead in peace, and whereby we may find a quiet and really peaceful and lasting settlement of the question. My nostrum may be as wrong as those of others, but I felt bound to submit it to your Lordships. But I feel that either this plan of mine, or the plan of the Government would be infinitely preferable to either that of the most rev. Prelates or that of the noble Earls, which would settle nothing and unsettle everything.

THE ARCHBISHOP OF YORK: My Lords, after the eloquent speech of the right rev. Prelate, I feel it only right to say that we go before the country ready to avow that a large and important concession is about to be made by the Clergy and Laity of the Church of England—not from any sense or feeling of apprehension, but from motives of a more creditable description. My clause does not allow a clergyman to pronounce "a *post-mortem* excommunication." He is not to state whether he thinks that a person

brought to be buried has when living led a scandalous or offensive life—that is not the meaning of the Amendment—but he is to consider conscientiously whether a scandal and offence would arise in the minds of his parishoners from his using the Burial Service. The right rev. Prelate, as I understand, does not deny that it would be useful to have an alternative Burial Service; but I regretted to hear it mentioned as an objection to a concession that it was not a concession to the Clergy, but only to the Laity.

THE BISHOP OF PETERBOROUGH: I said it could hardly be called a concession to the Clergy, but that it was almost entirely a concession to the Dissenters.

THE ARCHBISHOP OF YORK: But is it an objection to the concession that it is made to the Laity?

THE BISHOP OF PETERBOROUGH: The Dissenting Laity.

THE ARCHBISHOP OF YORK: I should wish to say a few words on the position which I unwillingly occupy in this matter. We give credit to the Government for having intended to settle this great question; the noble Duke (the Duke of Richmond) gave something like a pledge last year which he has now come forward to fulfil; and I quite understand the position of the Government now. They say—"We offer you this concession; you do not seem ready to accept it; therefore we must withdraw it and give up the matter altogether." The Bill has suddenly become a Bill of one subject instead of two. But those who say the Government have placed the matter on a new basis cannot allow the Bill to go quietly through as a mere Bill for providing burial grounds; they say the question no longer stands in the position in which it stood before, as the Government have made a concession; they have said that the law of the Church shall no longer prevail, and that, except as to three classes of persons, burials need not take place according to the present law with the service of the Church of England. Who shall say the question does not stand in a new position? It is not on political grounds we come here. No doubt, as suggested, Dissenters would like to take possession of our churches, and we shall do our best to prevent them; but we have a right to choose our own battle-ground, and there fight the battle in the most advantageous way. It is the easiest thing in the world to get up feeling about anybody's funeral; but it would be different if Dissenters set up a claim to preach in the church. What have we been witnessing for a long time past? A committee of the Wesleyan Body has been corresponding with me about an epitaph on a tombstone, and it turned out to be a question not of dogma, but of doggrel—of the fitness of the words of a hymn to be used in the inscription. A question arose in another case about the grave of a man who was a distinguished cricketer; and, though I am not aware that in the manly game of cricket there is anything of political or dogmatic significance, the reporters came, note-book in hand, well knowing that nothing took so much with the public as a burial scandal or a scene at somebody's interment. All this shows a state of unwholesome and irritated feeling which we ought, if we possibly can, by legitimate means, to put an end to. It seems to me that in taking its stand here the Church is fighting a losing battle. The Dissenters in attacking burials appeal to sympathies and feelings different from those that are aroused on any other subject; and so long as you dispute the question by the side of the grave, so long will the odds be against you, and infallibly turn the battle against you in the popular mind. I was unable to reconcile two portions of the speech of the right rev. Prelate. He pictured the results of passing this measure, and anticipated the use of offensive language under the windows of the parsonage. If the people of England are so ill-disposed, I do not understand why they do not do these things now after the funeral, and when the clergyman has turned his back.

THE BISHOP OF PETERBOROUGH: So they do.

THE ARCHBISHOP OF YORK: There must be a great difference between the dispositions of the people in different parts of England. The right rev. Prelate was a little at fault in his instance. He gave an example of such conduct by stating what had occurred at the consecration of a churchyard; but the consecration of a churchyard is a totally different thing from a funeral. A great many idle people come together to witness a consecration by a famous Prelate.

one of the first of orators of the day, and, not being so much impressed by the solemnity of the service as they expected to be, they who came out of mere curiosity remained to laugh and jeer. I am very sorry for it, but I never saw the like, and, except in this case, I never heard of it; but it furnishes no proof whatever how the sorrowing relatives — be they Wesleyans, Independents, or Baptists—will conduct themselves when they come to bury their dead in the churchyard, and perform the last sad offices to the departed. The right rev. Prelate's picture was a very brilliant description—potatoes and all; but it has nothing whatever to do with the case before us. But the right rev. Prelate shadowed forth his plan. Like the rest of us he sees something must be done; he, too, would admit the Dissenter, and be there with him; the Dissenter must come with his licence, and he must authorize the service.

THE BISHOP OF PETERBOROUGH: No; authorize the man, not the service.

THE ARCHBISHOP OF YORK: I object to authorizing either the man, or the service. I know what the Burial Service is to which I subscribed, and I hold to the Church Service for Churchmen. The Dissenter when he comes to the churchyard may wish to use a service which seems to him as good; but all I should know about the matter was that it was not my service, and should leave the Dissenter to his discretion. I am not going to undertake to revise the service of the Dissenter; and the only sound basis on which to settle the question is to give a discretion, and to leave the persons concerned to exercise it. The effect of the course taken by the Government will be to place the Episcopal Benches in a somewhat invidious position—we are, in fact, left to originate a part of this Bill. We have no desire to act in any hostile spirit—we are ready to share with the Government the responsibility of settling the question, and we do not desire to act in a spirit hostile to them. The Amendments proposed would leave the Bill still incomplete, as it would be unwise and unjust to the ratepayers to apply its provisions in places where no grievance exists. Where burial grounds have been provided for Nonconformists as well as for Churchmen the Bill should not apply. I do venture to hope that the Government will not lose sight of this question. This is a very important issue we have before us. An appeal is made to the Clergy to extend to others the same toleration they would wish to have accorded to them in a foreign country. The appeal was not made too soon or out of time, for there can be no doubt that the public opinion of this country is ripening fast, and in two or three years the question is sure to be settled in one form or another. Is there any harm in our endeavouring to settle it now, while there would be some grace in concession. The two chief organizations—one representing the Low Church, and the other the moderate High Church party—and a great number of the Clergy belonging to each have pronounced in favour of a settlement—a course which they would not have adopted, if they had not fully understood the signs of the times. It is not a political question; but by resisting a settlement, we shall consolidate the ranks of those who are opposed to the Church, and we shall deprive them of a cry by agreeing to a settlement. I therefore implore Her Majesty's Government not to neglect the signs of the times. It will be impossible to pass anything to-night in the face of the resistance of the Government; but I feel sure that the same things are working in their minds that are in the minds of those who feel deeply for the welfare of the Church. I therefore call the upon the Government to take the subject earnestly in hand, and the Bench of Bishops will be willing to take their share of responsibility in arriving at a true settlement of the question if possible.

EARL NELSON desired to explain that he had brought forward his Amendment entirely on his own responsibility, and without consulting any one. The object of his Amendment was to secure that some proper service should be performed, and the only way in which it appeared to him that could be secured was to have some person who should be responsible—and that was the incumbent. He altogether repudiated the idea of having acted in any representative capacity, either as regarded the Clergy or Laity of the Church.

EARL GRANVILLE: My Lords, I am perfectly aware that this is not the most convenient moment for entering into the abstract merits of this Bill and the Amendments which have been proposed

to it. But in a discussion of so much importance to the Church of England and the other Denominations, I must say I am more desirous of adopting the tone and temper of the two most rev. Prelates, than that of the right rev. Prelate (the Bishop of Peterborough) who has just addressed you. It appeared to me that the two most rev. Prelates were most anxious to see the Clergy of this country acting on the large and great principles of charity, toleration, and political wisdom; while the right rev. Prelate rather seemed to wish that they should drive the hardest bargain they could with the Dissenters. I admit the right rev. Prelate is a very able antagonist—but I deny this is a question of Party; what we have to consider is the result which would be most consonant with the interests of all. I was very much struck with what the right rev. Prelate said at the beginning of his speech. He stated in the strongest manner that it was desirable that "this miserable controversy" should be settled by a compromise, and not only settled, but immediately settled. I listened to his whole speech with the view of discovering what the compromise was which he suggested, and what was it? The only compromise he suggested was, that it should be a permissive measure; he said this, however, on his own authority alone, and without concert with any party whatever. I very much doubt whether he would find 40 Peers who agree with him on that point. But almost in the same breath he said that the compromise existed at present, for there was nothing now to prevent an incumbent allowing any service he approved in the churchyard. I can only say, although the right rev. Prelate may be most sincerely desirous that his compromise should succeed, I certainly do think it not well calculated to effect the object he so sincerely desires. He found great fault with my safeguards—to which I do not attach so much importance as some others have done; but, acting on excellent advice, I placed clauses before your Lordships which met with very general concurrence. The only objection of the right rev. Prelate to those safeguards was this—either they are efficient, or they are inefficient. If you make them efficient—and I believe them to be efficient—instead of settling the question, they will produce a crop of law suits. Now, that is an objection which is applicable to every preventive law. I do not mean to go farther into the general argument; but I think it may be convenient to your Lordships to know the course likely to be taken by the Government in the Committee. The right rev. Prelate said the effect of the withdrawal of the Amendment by the Government and other Amendments would give a different character to the Bill. I should therefore like to know, whether the Government merely propose to omit their own Amendment, or to alter others on the Paper. With regard to my own Amendment, I mean to abandon it, and I will explain my reasons for doing so. Your Lordships will remember what occurred. Acting on excellent advice, I gave Notice of a clause before the second reading, which, I believe, very accurately set forth the object I had in view. The same evening my noble Friend (the Earl of Shaftesbury), in the most conciliatory spirit, gave Notice of an Amendment by way of compromise, which he thought would probably be accepted. Since, seven or eight days after that, my noble Friend sitting near the Table (the Earl of Harrowby) gave Notice of another Amendment, very much carrying out the substance of what I desired, but containing some provisions which I greatly regret would have obliged me to vote against it. The noble Duke the President of the Council at a very late period gave Notice that he would move to omit the 74th clause. It was then necessary for me to consider my position. My noble Friend (the Earl of Harrowby) gave an amended form to his Amendment, adopting my safeguard to which the right rev. Prelate objected so strongly. At the same time, my noble Friend (the Earl of Shaftesbury) stated his intention to abandon his Amendment. In determining to abandon my Amendment, I wish to make it perfectly clear why I do so. Can noble Lords opposite, looking at this question as statesmen, as sincere Churchmen, as Members of the Conservative Party, and with a view to the well-understood interests of the Church refuse to admit that this question should be soon and immediately settled? I do not blame noble Lords opposite in the slightest degree if they should be reluctant to vote for an Amendment moved by one who is opposed to the present policy of Her Majesty's Government,

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but I cannot help thinking that when a Conservative Peer, one of the strongest supporters of Her Majesty's Government, and one whose attachment to the Church of England is undoubted, does propose an Amendment of substantially the same character, I do not say all, but some of those Peers may think that by voting with him they are giving expression to their own conscientious convictions, and also possibly that they may be assisting the Government in coming to a more speedy conclusion on the subject than I could myself have brought about. I may be wrong in thinking there is a chance of the settlement I have at heart; but, at all events, I desire to try, and therefore I have abandoned my own Amendment, and will give my hearty support—and I believe I may speak for noble Lords near me—to the Amendment of the noble Earl at the Table.

THE DUKE OF RICHMOND AND GORDON: Before answering the Question of the noble Earl who has just spoken, I would ask whether he would be kind enough to express the views of his own side of the House only. The noble Earl has not only given the opinions of noble Lords who sit behind him, but has travelled out of that region in order to state the opinions of those who sit on this side. On a recent occasion it was stated in "another place" that one of the few and scanty privileges of the Opposition was that of managing its own affairs. If that can be laid down as the doctrine for the management of the Opposition in "another place," I think I can claim for Her Majesty's Government that they have an equal right to manage their own affairs. Therefore, I will state without further preface that it is the intention of Her Majesty's Government to offer a decided opposition to the clauses to be proposed by the most rev. Prelates, and also to the clause of the noble Earl (the Earl of Harrowby).

LORD TEYNHAM claimed for the Nonconformists equal rights for the burial of their dead in the graveyard of the parish without let or hindrance.

Motion *agreed to;* House in Committee accordingly.

PART I.

Closing of Burial Ground.

Clauses 1 to 4, inclusive, *agreed to.*

PART II.

Providing new Burial Ground.

Clause 5 (Where burial ground closed as population increases, legal obligation to provide new burial ground).

EARL GRANVILLE said, his noble Friend (Earl Spencer) had given Notice of an Amendment to leave out the words "consecrated and unconsecrated" ground; but his noble Friend had requested him to postpone moving the Amendment to a subsequent stage.

Clause *agreed to.*

Clauses 6, 7, and 8 *agreed to.*

Clause 9 (Providing of chapel accommodation for burial service according to the Church of England and other rites).

THE EARL OF CAMPERDOWN, who had given Notice of an Amendment on this clause, to insert—

"and may in pursuance of a special resolution of the burial authority, sanctioned by the Local Government Board, provide chapel accommodation for the burial service,"

said, he wished to postpone moving his Amendment.

THE DUKE OF RICHMOND AND GORDON said, if noble Lords were to postpone their Amendments in that way much time would not be gained by passing the clauses.

Clause *agreed to.*

Clauses 10 to 73, inclusive, *agreed to.*

THE ARCHBISHOP OF CANTERBURY rose to move the Amendment of which he had given Notice, after Clause 73, to insert the following clause:—

"In cases where the burial service of the Church of England cannot lawfully be used, but where it shall appear to the incumbent or curate in charge desirable to use some religious service, and the person having charge of the interment shall desire the same, it shall be lawful for the minister, if he shall think fit, to use any service authorized by the bishop, provided that nothing except hymns shall be introduced into such service which does not form part of the Holy Scriptures or of the Book of Common Prayer: Provided that notice shall be sent to the bishop within seven days of any such use of the said service by the person using the same.

"In cases where the burial service of the Church of England might lawfully be used, but where the person having charge of the interment shall request that the said service authorized by the bishop as aforesaid shall be used instead of the burial service of the Church of England, the minister shall not be subject to

any penalty for omitting to use the service of the Church of England and for using the said authorized service in lieu thereof: Provided that in every such case he shall report the facts of the case to the bishop within seven days, and provided that the bishop shall thereupon approve the said omission and substitution in writing under his hand."

The most rev. Primate, in moving his Amendment, said, he had regretted to hear the noble Duke the Lord President say that he should oppose this very innocent Amendment; and he the more regretted it because while the Bill contained the 74th clause, there were some words in it which, though a little ambiguous, made room for the very Amendment of which he had given Notice; and, on the strength of being encouraged to move that Amendment, he had ventured to deliver two speeches in favour of the Bill which had been introduced into the House. Of course circumstances had changed, and the Bill as introduced with the view of settling this considerable question, had, from causes which had not been explained, and which he would be very glad to hear explained to their Lordships' House, altogether lost the character to which it was entitled from the pledge given by the noble Duke last Session, and which certainly made him (the Archbishop of Canterbury), for one, give it his support when the first and second reading were proposed. He did not mean to say there might not be the most admirable reasons for dropping the 74th clause, and all that was necessarily or naturally, and by a sort of tacit agreement connected with the 74th clause; but the House was entitled to hear what these reasons were. One of them, he supposed, to be this—that the Dissenters were not satisfied with the clause because it gave them no more than a silent funeral; and he could imagine that the Government might be of opinion that as they had endeavoured, so far as their followers would allow them, to make concessions to the Dissenters, and as the Dissenters had rejected those concessions, the best thing they could do was to drop altogether any idea of conciliating anybody by means of this legislation. Now, he (the Archbishop of Canterbury) considered that the innocent clause he had proposed, even though if it stood by itself it might not satisfy the Dissenters, was at all events a move in the right direction. It would enable a clergyman who was at present prohibited from reading the service over his Dissenting brethren to use a decent service such as many of them would be willing to accept. The clause had considerable authority in its favour. First, it had the authority of his right rev. Brother (the Bishop of Peterborough), and was in fact his clause adopted from him when he was obliged to give his conscientious vote against it. That was one authority upon which he based the clause; but there was also another—namely, the body called the Ritual Commission, who had considered what was to be done in this matter. The clause proposed was as nearly as possible a rescript of the recommendations of that Commission, and was the result of the deliberations of a very equally balanced and thoroughly representative body of Churchmen. That body, representing as it did the Laity as well as the Clergy, did not make the recommendation without good reasons for in the year 1863 there had been an important discussion, which had ended in his predecessor's promising to take the subject into his earnest consideration and to propose some such scheme as the one he now brought forward. The object of the Amendment was this. Certain members of the Church of England were exposed to a very serious wrong. Sometimes children died by the visitation of God before it was possible for them to receive the rite of baptism. The fault was certainly not in the child, and it might not be in the parents. The omission of the rite might perhaps be due to the accidental absence of the clergyman from his parish. And yet when the parents brought the child to be buried in the parish churchyard the clergyman, it appeared, was by the existing law prohibited from reading a small portion of God's Holy Word, and offering up a prayer over the body for the consolation of the parents. Everybody who was exposed to this grievance must feel it to be real. What would be the feeling of the parents when what they deemed an indignity was cast upon them for a fault of theirs? It might be said, however, that the Clergy, as represented in the Lower House of Convocation, had expressed an opinion adverse to having a religious service over unbaptized children. He did not think this was a true statement of the case; and, moreover, their Lordships must bear in mind that the Lower House alone could not state

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the opinion of the Convocation. What the Lower House of Convocation really objected to was having a regular service formulated in the Prayer Book to be read over unbaptized persons. Now he did not propose to do this. The Act of Uniformity Amendment Act, passed a few years ago, authorized the Bishop of the diocese to allow a service taken from the Book of Common Prayer to be read in certain cases. Some persons believed, indeed, that that Act at present applied to the case of unbaptized persons, and therefore there could be nothing unconstitutional or contrary to the opinions of the Clergy to propose, as he did by this Amendment, that the Act of Uniformity Amendment Act should apply in the case of unbaptized children of our own communion. There was another large class of members of the Church in reference to whom a grievance had arisen. He meant those who from conscientious motives had given up the practice of baptizing infants, and did not present their children to be baptized until they had reached an adult age. A great many persons died unbaptized at an early age, and although they might have been models in the community to which they belonged, yet the Church service could not be read over their bodies. It might be said that the Church of England allowed them to be interred without any service; but the declaration of Her Majesty's Ministers respecting the 74th clause had thrown a doubt upon that. Therefore, these people were in a worse position now than they were before this Bill came on for consideration. But even supposing that they might be buried with a silent funeral, he thought they had a cause of complaint. The Clergy were not unwilling that such persons should be buried with a religious service; on the contrary, they were anxious to read over their bodies the Word of God, and to offer up some prayer. Therefore, he proposed by his clause that both classes of persons to whom he had referred should have their grievance remedied in the simplest possible manner. Again, in cases of scandal, where persons died in those miserable ways which were described in the debate of 1863, he supposed their relatives would seldom be so insensible that they would not acquiesce in some decent service being read without the necessity of using all the strong expressions of hope, and even of exultation, which were to be found in the ordinary Burial Service of the Church of England. In these cases also his clause would apply a very considerable remedy. He believed his proposal would go a considerable way to heal the bitterness at present existing. Therefore he trusted that the hopes of having the question settled would not be frustrated, and that their Lordships would not merely resolve themselves into a Sanitary Commission to consider the Bill. In conclusion, the most rev. Primate moved his Amendment.

Moved, after Clause 73, to insert the following clause:—

"In cases where the burial service of the Church of England might lawfully be used, but where the person having charge of the interment shall request that the said service authorised by the bishop as aforesaid shall be used instead of the burial service of the Church of England, the minister shall not be subject to any penalty for omitting to use the service of the Church of England and for using the said authorised service in lieu thereof; provided, that in every such case he shall report the facts of the case to the bishop within seven days, and provided that the bishop shall thereupon approve the said omission and substitution in writing under his hand.—(*The Lord Archbishop of Canterbury.*)

THE BISHOP OF CARLISLE said, that he felt great delicacy in voting upon this subject, because he knew how strong the feeling was that was entertained in his own diocese upon it. Last year the subject was introduced to his diocesan conference by two papers, read by gentlemen holding as contrary views as possible, so that each side was strongly argued. The result was that a resolution against the views represented by the noble Earl opposite (Earl Granville) was carried by a majority of 10 to 1—that majority consisting of clergymen and laity together. And he might remark that on that occasion, as in the present debate, some of the strongest expressions of opinion had come from laymen. No mistake could be greater than to represent this as a merely clerical question. Therefore, he felt some difficulty as to the course he should take this evening. He did not feel disposed to follow the lead of the Government and to vote against all the Amendments, because he thought that the Amendments, taken together, did seem to offer some possibility of settling the question. He might say, however,

that if all the Amendments were negatived, the result would be not altogether a bad one: the Bill without Clause 74, which had always struck him from the time it was first described by the noble Duke as alien to the general character of the Bill, would be complete in itself, and would by its operation in the course of a few years get rid of all fair ground of complaint with respect to burial. Nothing could be more unjust than to describe the Bill as a mere sanitary Bill: it was nothing of the kind; it was a Bill which grappled with the real difficulty of the whole matter—namely, that at present there was no authority whose business it was to see that Her Majesty's subjects were properly buried. The difficulty of obtaining cemeteries on the ground of expense had been absurdly exaggerated; frequently the ground would be given freely; and even where it had to be purchased, it should be remembered that agricultural land did not pay more than 3 per cent, so that the application of land to the purposes of a cemetery would be generally a profit rather than a loss. At the same time, if the Bill could be carried embodying such provisions as those proposed in the three clauses of the most rev. Prelates and the noble Earl at the Table (the Earl of Harrowby), it would, while having the effect which he had described, be of a more kindly and conciliatory character than in its present shape. Although, therefore, he feared the course which he was about to take might be disapproved by some of his Friends, he, having an intense desire that the question should be settled, would vote for the Amendment before the Committee; but if the Amendments proposed by the most rev. Prelates should be negatived, he would certainly vote against that proposed by the noble Earl.

EARL STANHOPE expressed his intention of supporting the Amendment, believing it to be just and reasonable.

LORD DENMAN remarked that he could not vote for or against the Amendment of the most rev. Prelate, he considered the 14th clause far preferable. He had himself desired to be buried near the place of his decease, but if one of the past Lord High Commissioners or the present Lord High Commissioners of the Church of Scotland were to leave directions that he should be buried silently, "after a religious service elsewhere," the clergyman of any parish of the Church of England could not dispense with a religious service in the churchyard. He had attended the funeral of the person whom, of all others, he had most respected (in Scotland), after a religious service in her house, and had been honoured by an invitation to the funeral of the late Marquess of Tweedale, and nothing could have been more reverent than the religious service in both instances, nor more solemn than the interments.

VISCOUNT MIDLETON said, it would be the height of folly to miss any opportunity that presented itself that had in it the elements of a satisfactory settlement of the question; but he did not think the passing of the Bill without the 74th clause, or some substitute for it would be satisfactory to the country. That there was a grievance to be remedied had been practically admitted, but there were two parties implicated in the matter. There were the politica Dissenters, with whom he had no sympathy whatever, because they regarded admission to the churchyards as merely obtaining possession of the threshold of the church, and desired to keep the question alive and make it the stalking-horse for other purposes. But there was another class of Dissenters with whom he sincerely sympathized, and whose wishes he should as far as possible like to meet. He alluded to those who living in remote country parishes where it would not be so easy to provide a cemetery as the right rev. Prelate who had just spoken supposed, desired to be buried in the churchyard in which their forefathers were interred, and on whom it was a real hardship that a decent and orderly service might not there be read over the remains of their dead. Those persons were sincerely desirous of a reasonable settlement of the question, and it would be well if such could be found without delay. There were, he knew, many earnest Churchmen, both Members of their Lordships' House and outside of it, who would think it a thousand pities if the present opportunity were lost of putting "this miserable question" at rest for ever. Such an opportunity as the present was not likely to occur again; and while there was a general desire on both sides of the House for a settlement, he could not but believe that some reasonable compro-

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mise might be devised which would prevent this from becoming a mere sanitary Bill. Otherwise, their Lordships would not close this question.

EARL NELSON said, he approved of the clause standing alone, but he should vote against it as a compromise.

THE BISHOP OF SALISBURY said, he wished to explain that he should vote for the Amendment of the most rev. Prelate, but not because he thought that any question of compromise or mutual concession ought to enter into such a matter. That which was just he would support; but that which was not just he would resist with all his might. His reason for voting for this clause was that death, burial, the resurrection, and the judgment were matters of tremendous significance, and he could not bear to think that some words of sacred truth, in reference to these solemn verities, should not be used at the burial of everyone, so as to bring the sacredness of the occasion before the minds of the survivors.

THE DUKE OF RICHMOND AND GORDON said, he would explain the course which the Government intended to take with respect to the clause of the most rev. Prelate. He hoped that in doing so he should say nothing to cause any bitter feelings on the other side of the House upon a subject which ought to be approached with great solemnity—and still less would he introduce into the discussion anything of a Party character. He very much regretted to hear the most rev. Prelate, before the Bill went into Committee, shadow forth the effect upon the country at a General Election if this question were not brought to a settlement. He was astonished and grieved, considering the position which the most rev. Prelate occupied in the Church and in that House, that he should condescend to bring this question out of the higher region to which it belonged into that lower region of Party and political warfare.

THE ARCHBISHOP OF CANTERBURY: I said I feared it would so fall—that my object was to keep it out of the lower region into which I feared it might fall if the clause were not adopted.

THE DUKE OF RICHMOND AND GORDON: If that had been his object he should not have selected the mode adopted by the most rev. Prelate. He understood him to indicate that the Amendments proposed by himself and the Primate of the Northern Province and by the noble Earl (the Earl of Harrowby) were parts of one entire scheme which ran *pari passu*, and might hang together. They all formed one great scheme of compromise which they were told ought to be adopted by their Lordships, and would be satisfactory to the country. He should have no hesitation in saying that, taking these clauses as one scheme, he should oppose them; because, as was well put by the right rev. Prelate (the Bishop of Peterborough), it would be found that they were no compromise at all and settled nothing. The speech of the most rev. Prelate, however, had put the matter in a very different light. He had, in fact, divided the clause into two separate clauses. The first dealt with the case of unbaptized children—a question involving a grievance which most of their Lordships desired to remedy by providing some service which could be performed over those who died previous to being baptized. The second part related to a wholly different matter. That part of the clause ran as follows:—

"In cases where the burial service of the Church of England might lawfully be used, but where the person having charge of the interment shall request that the said service authorized by the bishop as aforesaid shall be used instead of the burial service of the Church of England, the minister shall not be subject to any penalty for omitting to use the service of the Church of England, and for using the said authorized service in lieu thereof."

That raised a wholly different issue, and if he had to vote upon the whole clause as connected with others and forming one Burial Bill, he should be constrained to vote against the clause as it stood. But, believing that there were grievances which might be remedied by the first part of the Amendment, he should be prepared, on the part of the Government, to accept the first part on its own merits as dealing with the case of unbaptized persons. He, however, repudiated the second part of the Amendment as necessarily forming part of the three clauses to be proposed. Therefore, while accepting the first part of the Amendment, he should propose to negative the second part, and should reserve to himself the view of the whole matter he had endeavoured to express.

EARL GRANVILLE said, he could not be a party to a bargain or compromise in an invidious sense, and must

vote on Amendments as he thought them right or wrong. No doubt it was very convenient for the noble Duke to deprecate Party feeling; he did it himself when he was in office and Party feeling was against him; but he would bargain to request his own Friends not to be influenced by Party feeling on this question if the noble Duke would promise that his Friends would not allow Party feeling to influence their votes. He thought the whole clause a very good one, and was willing to accept the cherry whether at two bites or one.

THE ARCHBISHOP OF CANTERBURY asked leave to divide the Amendment for the purpose of taking the opinion of the House on the first part.

Then the first part of the said clause put, and *agreed to*.

Then the second part of the said clause being proposed—

VISCOUNT CARDWELL said, it would be interesting to know why this part of the Amendment, which was now proposed as an independent clause, was not acceptable. By adopting the first part they had for the first time sanctioned a new service to remedy such a grievance as that which the noble Earl (Earl Granville) had brought forward on a previous occasion—of a Baptist who had built a church and could not bury his daughter in the churchyard. Why should they thus meet the case of the Baptist and not that of the Wesleyan, or why should they remedy a grievance in the case of children, and not remedy it in respect of any adult Nonconformist who might have a conscientious objection to any part of the Burial Service of the Church?

EARL GRANVILLE said, that when he mentioned the case of Sir Morton Peto's daughter on a previous evening, he had been misinformed. He now understood that Sir Morton Peto built a new church in an old churchyard; so that he was wrong in stating that he had created the churchyard.

THE DUKE OF RICHMOND AND GORDON regretted the introduction of the personal illustration, which compelled him to say that either the noble Earl had been misinformed or he was. He was informed Sir Morton Peto's daughter died in London and was buried in London. The case for the first part of the clause rested on the position of the Baptists and the feelings of parents on the interment of children who had not been baptized on account of the religious views of the parents. The case for the second part of the Amendment was wholly different, and it was part and parcel of the three clauses which were supposed to deal with the whole question.

VISCOUNT CARDWELL said, that if the personal illustration was wrong it did not affect the argument. Why should they meet the case of the Baptist and not that of the Wesleyan or any other Dissenter, or even of a member of the Church of England who objected to any part of its Burial Service?

THE LORD CHANCELLOR said, that the first part of the clause was perfectly clear—it enabled a clergyman to do what he was now forbidden to do, however anxious he might be—namely, to read a religious service, to be authorised by the Bishop, in cases where the Burial Service of the Church of England could not lawfully be used. The second part applied to cases where there was no lawful impediment to the use of the Church Service, but where the relatives desired that the alternative Service should be used; and the section protected the clergyman against penalties for omitting the Church Service and using the alternative one—the two enactments were quite distinct.

LORD SELBORNE said, he did not see why they should not consider the second part of the clause on its merits as well as the first. It was proposed to allow an alternative form of service, but only when the friends of the deceased might request it. That request might not improbably be made, to prevent painful controversies, and at the same time relieve the consciences of clergymen in at least some cases where "gross and notorious scandal" attached to the life of the deceased? He thought that, if it were for that reason only, provision should be made for allowing the use of an alternative service, as in the case of unbaptized persons.

THE MARQUESS OF SALISBURY said he would be glad if a remedy could be applied to meet such cases; but the form must be previously drawn up and authorized, otherwise it might go much further than the evils indicated and bring about a considerable abuse. There might be a Bishop whose sympathies were strongly in accord with those who ad-

mitted prayer for the dead, and it would be perfectly possible for him to authorize a service in which that practice should be adopted. It might be said that the first part of the clause, to which no objection had been raised, was open to the same difficulty; but it applied to a very narrow and restricted number of cases, and the evil would not be great. But this section would practically allow a new burial service for the whole community, and if they allowed clergymen and Bishops between themselves, without any limitation whatever, to settle what kind of doctrine might be included in the hymns to be used on these occasions, he was afraid they might have a service that might not be acceptable to the more Protestant section of the community.

THE BISHOP OF OXFORD considered the clause simply as an application of the Uniformity Amendment Act to another service. Anything done in this direction would be subject to the same ecclesiastical law as any other part of the Services of the Church of England. The general objection was not to the omission of any particular words over the body of a deceased person, but that no service at all should be performed over a deceased relative was felt to be a great grievance to the family. A decent religious service, to be approved by the Bishop, would at once relieve the family from this grievance and the conscience of the clergyman from an oppressive obligation.

THE BISHOP OF PETERBOROUGH said, the effect of the clause would be to provide first and second class services, and he would put it to their Lordships whether the use of the second service would not be regarded as an affront by the survivors. Besides, this was the first instance in which the parishioners had the right of objecting to the service; that matter had hitherto always rested with the clergyman under the direction of the Bishop. He feared the effect of it would be to prevent the revival in the Church of godly discipline, which was so much desired. The true way to prevent scandal was by raising the discipline of the Church, and enabling it to correct during life, as was done in almost every other communion, the sins and irregularities of its members.

THE ARCHBISHOP OF YORK said, that before such a service could be adopted there must be the double consent of the clergymen and the relations. The latter would not be able to choose a service to which the clergyman objected.

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Motion *agreed to.*

THE ARCHBISHOP OF YORK moved, after Clause 73, to insert the following clause:—

"No incumbent or curate of the Church of England shall, after the passing of this Act, be liable to any penalty for refusing or omitting to perform the burial service of the Church at the funeral of any deceased person, if it shall appear to the satisfaction of the Bishop that in such refusal or omission he acted under a reasonable belief that scandal and offence would be occasioned to the parishioners by the use of the said service: Provided that in every such case it shall be the duty of the minister declining to perform such service, if he would otherwise be required in law to perform it, to give notice of his refusal to the relatives or persons taking upon them the duty of providing for the burial of such deceased person, in such a manner and within such time as to enable proper provision to be made for such burial: Provided, further, that in case of such refusal it shall be lawful for any other minister of the Church, who may be willing to do so, to read the burial service of the Church at the burial of such deceased person in any churchyard in which such person had at the time of his death a right of interment: Provided also, that the incumbent or curate so refusing shall at the time transmit a statement of such refusal, and of the grounds thereof, to the Bishop of the diocese, who shall thereupon declare to the said incumbent or curate, in writing, whether it has or has not been shown to his satisfaction that there were reasonable grounds for such refusal."

The class of cases to which the clause pointed was not very numerous, but it related to cases in which the Clergy felt very strongly indeed; and the congregations themselves might feel that the expressions of faith and hope were inappropriate. He felt sure that it was desirable to absolve clergymen from using the Church of England service in certain circumstances; but he could not accept the view that the Clergy had better take the law into their own hands and risk a prosecution, and he knew that a large part of the Clergy desired some such safeguard as this clause. He asked the House to view the clause as if it had no comprehensive measure before it; the concession was not a great one, and many of the Clergy would think it a considerable boon.

LORD SELBORNE, in supporting the clause, said, that the subject was one of extreme difficulty; but he thought, on the whole, that the reasons for its adoption preponderated. Forty years ago a numerously signed Petition was presented, representing that it became in some circumstances a strain on the minister's conscience to use the Church Service; and no less a personage than Archbishop Longley had said than in those cases he should decline to use the service, holding himself compelled to do so by a law higher than human. The Clergy ought to be relieved from this unfair position; nor was it a safe state of things, if they wished the law to be obeyed, to place it in such direct conflict with an honest sense of conscientious obligation. The clause was so surrounded with safeguards as to reduce the danger of its being abused to the lowest possible limits. Taking these matters into consideration, he should certainly support the clause.

LORD STANLEY OF ALDERLEY said, the speech of the noble and learned Lord had given a reason why their Lordships should not agree to this clause, for he gave as an instance where the burial service should be refused, the case of a man who died drunk. Now, in this country, where in many places every second house was a public-house, and when a drunken man was so liable to be run over, or killed in other ways, this would not be a justification for what had been so wisely called *post mortem* excommunication. Besides, in many cases drunkenness was a disease and not a crime.

THE DUKE OF RICHMOND AND GORDON said, he was unable to accept the proposal of the most rev. Prelate. The clause which had, unfortunately, been passed, that which was now under consideration, and the clause which was to be proposed by the noble Earl (the Earl of Harrowby), all formed part of one system to which he objected. He would ask their Lordships to consider the position in which the right of objection by the clergymen would place Dis-

senters. A clergyman might take an extreme view, and conscientiously refuse to read the burial service over the body of a deceased Dissenter. Much as he respected the Clergy, he could not give them the liberty of exercising such an option as the clause appeared to give.

THE EARL OF KIMBERLEY admitted that the Clergy had a grievance in this matter, and would have been exceedingly glad if he could have supported the present proposal, but he was unable to do so because he thought it was not well adapted to secure the object in view. It would be a hazardous thing to put into the hands of any clergyman the extreme power of deciding whether he would or would not read the burial service over a parishioner on the plea that that parishioner had led an immoral life. Such a power might be safely trusted with most of their clergymen; but it was likely to be abused by an unwise or indiscreet clergyman.

THE ARCHBISHOP OF CANTERBURY said, that when a law was habitually broken there was probably something in it which had better be repealed. As the law at present stood, clergymen who refused to bury persons who had died in a career of notorious sin ran great risk of incurring penalties. The Clergy had long felt this to be a grievance, and they very naturally objected to having to choose between the alternative of either breaking the law or violating their consciences; and this clause would give relief to the Clergy in these cases. As the law stood it produced by no means a wholesome state of things, and it was not right, he thought, that the Petition of 4,000 clergy of various shades of opinion should for the last 14 years have had no attention paid to it—for he could testify from his experience that such cases as had been mentioned continually occurred. It was far better to put the law in a condition in which the clergyman could obey it, as the clause proposed to do, than that he should be encouraged to think lightly of it.

THE MARQUESS OF SALISBURY objected to the clause—not because it yielded too much to the Clergy, but because it would tend to place them in a position of greater difficulty and responsibility than they now were. He thought that if a clause of this nature were to be carried, giving to the Clergy an option in certain cases of omitting to read the Church Service, Parliament ought to define with precision what those cases were. As it stood, the clause gave to the Clergy a vague and irresponsible power, which was open to indiscretion and abuse. He did not wish to be thought insensible to the conscientious grievance which it was sought to remove; but he must confess he did not see the remedy; but if a remedy was to be given it must be one which would not leave any doubt or ambiguity as to the extent of the liberty to be given to the clergyman.

THE EARL OF CHICHESTER opposed the clause on the same ground. The clause would place the Clergy in the invidious position of making themselves the judges of the conduct of their parishioners after death. He objected to the Clergy being allowed to decide upon the question of a man's life.

THE LORD CHANCELLOR said, that brevity in an Act of Parliament was a quality much to be desired, and therefore he ventured to submit to the most rev. Prelate a form by which his clause would be greatly shortened. It might run thus—

"Henceforward no clergyman of the Church of England shall be obliged to read the burial service over a parishioner if the Bishop believes that the clergyman believes that the parishioners believe that such parishioner had led an evil life."

LORD HATHERLEY thought the vexation to the friends of the deceased at having the ordinary burial service refused would be greatly enhanced by its being formally reported to the Bishop that such an interment would be a scandal to the neighbourhood. And in the parish it would create the greatest possible feuds between the partizans of the relatives and the partizans of the clergyman. He deeply felt the grievance, but did not think the right remedy had yet been hit upon.

THE EARL OF POWIS made a few remarks.

EARL GRANVILLE said, this subject had been carefully considered by himself and the Friends near him, but the matter had appeared to be too difficult for a layman to bring before their Lordships. It was impossible not to be struck by the force of some of the objections raised to the clause; and, having brought it before the House, he would recommend the

most rev. Prelate not to press it to a division.

THE ARCHBISHOP OF YORK said, the grievance was a real one, and the Lower House of Convocation of Canterbury had passed a resolution urging the Bishops that relief might be provided in cases of an extreme and scandalous character. If this were not done, the result would be that the Clergy would be left under an obligation to inter with the Burial Service of the Church those cases which were so bad that the Dissenting ministers did not care to come forward and take a part in. There were difficulties in the way, no doubt, but he believed they would be minimized by this clause, which had been carefully drawn under the best advice. After the opposition from so many quarters, he had little hope from a division, and so he might find himself obliged to accept the suggestion that he should not divide the House.

On Question? *Resolved* in the *Negative*.

THE EARL OF HARROWBY moved to insert after Clause 73 the new clause of which he had given Notice, to the effect that where the friend or other person having charge of the funeral of a person dying in any parish, shall give notice in writing to the incumbent or curate in charge of the parish, that it is his desire that the burial of the said person should take place without the burial service of the Church of England, person such should thereupon be at liberty to inter deceased with such Christian and orderly religious services at the grave as they may think fit, or without any religious service. For the precautions to be taken as to the character of the rites, he would refer to the clause in their Lordships' hands. The noble Earl said, he was glad to find that no attempt was now made to depreciate the grievances of the Dissenters as merely sentimental, and, therefore, not deserving of much attention. Indeed, the attempt to meet the grievance by silent burial was in itself an admission of its existence, though inadequate to its object. Such grievances were not to be met by material considerations, or by statistics as to the number of occasions on which they might never occur. Like explosive gases, they might not be seen or handled; but for all that they were not the less capable of being deeply and widely felt, and exercising most destructive power. Even the right rev. Prelate (the Bishop of Peterborough) fully admitted the grievance, though he rejected the remedy. He (the Bishop of Peterborough) would confide to the clergyman of the parish the perilous power of admitting or rejecting, in each case, the claim for the exercise of rites other than those of his own Church. Was it possible to conceive a proposal less likely to have a soothing effect on either party? The party applying had to apply for permission to the minister of another persuasion than his own; and the clergyman applied to had to exercise his discretion as to the character of the rites! The suggestion was monstrous, and would produce greater evils than those which it was intended to remedy. It must be put aside. In fact, the presumption ought to be in favour of the common burial of men of one parish in the same graveyard, and by the religious rites of the several parties; the presumption ought to be in favour of the differences which existed during life being buried in the grave, unless some grievous evil could be proved to result from the operation of that principle. This could not be called a right—no such right could be established; but it was a natural instinct to wish for it, and some good reason must be shown to prevent its indulgence. The reasons which had been most strongly alleged on the other side rested mainly on apprehensions that the grave would be made the scene of irreligious, or unseemly demonstrations or of outbreak of sectarian bitterness. Well, the clause which he had proposed, and borrowed in great measure from one which had been placed before their Lordships by a noble Friend of his (Earl Granville), was very peremptory on this subject, and was, in fact, a better security than any which now existed. If it could be strengthened, by all means let it be so; but he trusted still more to public feeling, which would unanimously condemn any attempt to make an ill-use of such an opportunity. They were not to take their measure of all Dissenters from the language of the Liberation Society. They, no doubt, would be in no degree mitigated by any concession on this or any other point, short of the total disestablishment of the National Church; but there were large numbers

Earl Granville

of Dissenters who were actuated by no such feelings of hostility—who had, indeed, a respectful feeling for the National Church—and on whom the concession proposed would have a most wholesome and healing effect; whereas the present exclusion of their religious rites exasperated the feelings of every Dissenter in the country. That exclusion was now the sole question; and was it possible to imagine that it could be long maintained? Let only the state of opinion in this House be looked at, and what would be the result? What was to be done, let it be soon done. Delay was needless exasperation, and the conversion of concession into defeat. He had little hope of being able himself to do anything material towards the object; but if he could elicit from any material number of their Lordships an expression of their desire to remove this grievance, of that brotherly feeling towards their Nonconforming fellow-subjects, which he knew they entertained in their hearts, he would feel that he had done some slight service to his country and his Church.

Moved after Clause 73 to insert the following clause:—

"When the relative or other person having charge of the funeral of a person dying in any parish, or having had a right of interment in any parish, shall signify in writing to the incumbent of such parish, or to the curate in charge of the same, that it is his desire that the burial of the said person shall take place without the burial service of the Church of England, the said relative or person shall thereupon be at liberty to inter the deceased with such Christian and orderly religious services at the grave as he may think fit, or without any religious service; provided, that all regulations as to the position and making of the grave which would be in force in the case of a person interred with the service of the Church of England shall be in force as to such interment: Provided further, that notice of the time when it is the wish of the relatives or other persons as aforesaid to conduct the said interment shall be given to the incumbent or curate in charge at latest some time the day before: Provided further, that the said interment shall not take place at the time of or within half an hour before or after any service in the church, or of any funeral already appointed in the churchyard.

"If any person shall in any churchyard use any observance or ceremony or deliver any address not permitted by this Act or otherwise by any lawful authority, or be guilty of any disorderly conduct, or conduct calculated to provoke a breach of the peace, or shall under colour of any religious observance or otherwise in any churchyard wilfully endeavour to bring into contempt or obloquy the Christian religion, or the belief or worship of any church or denomination of Christians, or the ministers or minister of any such church or denomination, he shall be guilty of a misdemeanor."—(*The Earl of Harrowby.*)

THE BISHOP OF LINCOLN: My Lords, it is with regret that I dissent from any proposal of the noble Earl, for whom I entertain the highest respect. The noble Earl is actuated by the best motives in making that proposal, the design of which is to relieve certain grievances of persons dissenting from the Church of England. The special grievance which he desires to remove has, it is universally allowed, no existence in populous places. It has been removed by the provision of cemeteries in our towns. The grievance, whatever it is, is confined to our rural districts. And if the present Bill, for which we are deeply indebted to Her Majesty's Government, and which would provide cemeteries in our rural districts, should become law, as is much to be wished, then, by the provision of cemeteries under its operation, the grievance would be greatly diminished in rural districts, and would eventually vanish there, as it has vanished in our towns. But, my Lords, what, after all, is the grievance? Has it not been greatly magnified? I may claim some right to speak on this point. For nearly nine years I have had the Episcopal oversight of what is now the largest diocese in England in extent, and which is mainly agricultural—the diocese of Lincoln. I am stating a fact which is notorious to most of my right rev. Brethren, and to many of your Lordships, that the Protestant Dissenters of England in such dioceses greatly prefer to be buried with the service of the Church of England, and by a minister of that Church. Let me cite one specimen among many in evidence of this. About three years ago I was called upon to consecrate a portion of a cemetery in a large village in North Lincolnshire—the village of Laceby, near Grimsby, containing more than 1,000 inhabitants, many of whom are Dissenters. In the present Spring I held a confirmation there, and inquired how many persons had been buried in the consecrated portion, and how many in the unconsecrated part of that cemetery. The answer was that more than 30 had been buried in the consecrated part, and only one in the unconsecrated; and it was

added that this one person had given special directions that he might be buried in the consecrated portion, and had pointed out the spot in it where he wished to be interred; so that in will at least all the burials were in the consecrated part. The noble Earl desires to administer relief to religious and conscientious Dissenters. His Amendment, if carried, would, I venture to say, have the opposite effect. It would place religious Dissenters at the mercy of political Dissenters. Religious Dissenters, as I have said, prefer the Church of England Burial Service, said by a minister of the Church. But if this Amendment is legalized, then they would become the victims of the intimidations of political Nonconformist agitators, who would tell them that they were bound in honour to employ the services of Dissenting ministers officiating in the churchyards of the Church of England; and thus, my Lords, you would create other grievances — grievances which would press heavily on the Clergy of the Church of England. In the diocese of Lincoln there are more than 1,000 clergy. I have deemed it my duty to ascertain their feelings on this subject. As far as the rural parishes are considered—the question, I repeat, does not affect the towns—I believe the clergy of the diocese to be almost unanimous in imploring your Lordships to accept the Bill of the noble Duke, and to reject the noble Earl's Amendment. I believe that the noble Duke has received some intimations of this unanimity from some of the most distinguished clergymen of my diocese. They deprecate the adoption of the Amendment. The Amendment is proposed as a measure of peace, and as a settlement of the question; but it will stir up strife and settle nothing; it will open the gates of our churchyards to every form of religious schism and heresy, and will make those quiet resting-places of the departed to be the battle-fields of angry polemics. The very safeguards which the noble Earl has introduced into the Amendment are themselves suggestive of this. The interments under its provisions are to be "Christian and religious." Let me be allowed to ask the noble Earl—"Is there any form of sectarianism, Protestant or Romish, which does not claim to be 'Christian and religious?'" Some of them make it a part of their religion to deny the Divinity of Christ, others reject His humanity, others repudiate the resurrection of the body and the eternity of the future life: all these would be enabled under this Amendment to proclaim their dogmas in our churchyards over the graves of our departed friends. The noble Earl's safeguards will prove illusory and abortive. In the year 1874 your Lordships tried to check Romanising practices in our churches and churchyards by the Public Worship Regulation Act. And now in this Amendment proposed by the noble Earl, who has been regarded hitherto as one of our most courageous champions in the cause of the English Reformation, you are invited to open the doors of every churchyard in England to the funeral ceremonies of the Church of Rome. If you admit all services that are Christian and religious you cannot exclude them. Is this likely to promote peace in our parishes? I think not. If this Amendment passes you will have scenes like those of St. James's, Hatcham, promoted by Act of Parliament. The noble Proposer of the Amendment seems to have had some apprehension of this calamitous result; for he has provided in it that no interments shall take place under it during Divine service in the respective churches of the graveyards, or within half-an-hour before or after any such service. Now, if this had been a message of peace, surely no such precautions would be necessary. But they shadow forth other consequences. I regret to say that defections to the Church of Rome are becoming more and more common among us. They are due to our religious divisions and to other causes to which I will not now refer. We must expect to see their results in religious demonstrations, especially on Sundays, when larger congregations are gathered together in our churchyards. Suppose now, that you have Romish processions of priests in splendid vestments, with crosses and crucifixes, and banners flying and music playing, and all the other paraphernalia of a Romish funeral parading our parishes till the half-hour had expired and the time arrived for a triumphal entry into our English churchyards for the celebration of Romish services, which would come in under the designation in the Amendment as "Christian [illegible] you think, my L[illegible]

The Bishop of Lincoln

as these would do much to settle this vexed question (as it is called) and to promote the cause of peace? I think not. They would cause great unsettlement; they would attract the admiration of some, and bitter grief and great scandal to others of our people, and would distract our parishes with the conflicts of a religious war. And to conclude the catalogue of these visionary safeguards, the remedy for any disorder that may occur at any interment that may take place under this Amendment is that the party who causes it is to be "held guilty of a misdemeanor." My Lords, may I venture to ask, is the clergyman of the parish with his slender income to incur the expense of legal proceedings for punishing offences which will have been encouraged by the Amendment, opening our churchyards to all contending religionists, especially in this restless age? And if the clergyman does not endeavour to defend the churchyard, who will undertake to do it? This safeguard, like the rest, would be utterly frustrate and abortive. But, my Lords, I have done. Only a few words more. We who sit on this Episcopal Bench have the privilege of a place in this House in order to represent the Clergy, and to communicate their feelings to your Lordships. The Clergy of England are more than 20,000 in number. The Church of England is one of the most loyal Churches in Christendom, and the clergy of the Church of England are among the most patriotic citizens of England, and among the most loyal subjects of the English Crown. For the sake of the country, as well as of the Church, I entreat you not to alienate the affections of the great majority of the Clergy by assenting to this Amendment. They feel strongly on this matter, and I feel deeply with them; and, if I speak strongly, I trust that I may be pardoned for doing so. We feel very deeply in his matter, not for our own interests, but for something far dearer than that; we feel strongly for the honour of Almighty God, to Whose honour and service our churchyards have been set apart by a solemn act of religious consecration, and for the sanctity of that consecrated ground, which is God's acre, and which would be liable to be invaded and desecrated continually if this Amendment becomes law. The Clergy look to your Lordships—especially do they look to us, the Bishops of the Church, to defend them and their cause in this crisis, and not to betray that cause to those who, in the name of religious equality, would subvert the Church of England, and level it to the ground. The present time is one of great religious restlessness, of great religious distress—especially to the Clergy. Do not add any more bitter ingredients to their cup of sorrow, which is almost full, and ready to overflow; do not wound their tenderest feelings; do not, I entreat you as a suppliant in their behalf—do not aggravate their unhappiness by revolutionizing to-night the ancient law of the Church of England with regard to her churchyards, by means of a Parliamentary enactment, in opposition, as I firmly believe, to the mind of the Church herself. Do not, I implore you, my Lords, accept the present Amendment.

LORD STANLEY OF ALDERLEY said, the Resolution or Amendment of the noble Earl (Earl Granville) was incomplete, since whilst it professed to be based on a broad spirit of toleration and religious liberty, yet by the exclusion of certain classes of Her Majesty's subjects who were not of sufficiently numerical importance, the Amendment appeared as though it had been dictated by Party considerations and a regard for certain constituencies. If the supporters of the Amendment thought that the churchyards of England were national property in the sense that the existing possession of them by Churchmen, and the objections of Churchmen to other ritual than theirs were not to be regarded, why did they stop short where they did, and why did they not propose the words, "Jewish, Christian, Mussulman, and orderly religious observances?" thus including all Her Majesty's subjects who worship the same God, and who venerate the same patriarchs and prophets. If the advocates of religious liberty and of a toleration which they wished to enforce upon others refused to go thus far, and urged that Jewish and Mussulman burial services differed too much from those which they had in view, then they must admit the full force of the objections felt by members of the Church of England to other services than those which that Church provided. But if the noble Earl (Earl Granville) intended to be consistent and

logical, he had no longer any option in the matter of advocating the admission of Jews and Mussulmans to all the privileges which he claimed for Nonconformists. For the noble Earl and his supporters had repeatedly asserted that all Englishmen had a common law right to be buried in the churchyards of England, irrespective of and free from any conditions imposed by the Church of England; which conditions, though they had descended from the earliest times, were treated by the supporters of the Amendment as usurpations. If this theory of a common law right to burial in the churchyards were true, it was clear that an English Jew or Mussulman had all the rights that any other Englishman had, whether he were Nonconformist or Churchman. The Amendment, both in spirit and tendency, was materialistic, and entirely disregarded the theory and intention of burial grounds, the object of which was not merely to dispose of dead bodies, or to secure a sentimental union of the bodies of those who were disunited during life on the most important matter of life. The theory and intention of burying men together in one spot had been in every age, in every country, and in every religion the spiritual object of uniting travellers by the same road to the next world, and of facilitating that journey. For this reason burial grounds should be appropriated to those who hold one and the same belief; and it was unreasonable to wish to intrude persons into the burial places of those whose belief they did not share, and whose religious observances they rejected and refused; and it was unreasonable to claim a right to shock the feelings of believers in immortality, or to vitiate their religious observances, by the intrusion of addresses or inscriptions denying the immortality, such as those the Secularists had printed. And if the theory of the common law right of burial in churchyards was to stand, the secularists would claim under it all the privileges the Amendment sought to confer on Nonconformists; and there were many persons in Birmingham, Northampton, and elsewhere who would not rest satisfied with the Amendment now proposed, wide as it was.

THE DUKE OF RICHMOND AND GORDON said, that the noble Earl (the Earl of Harrowby) appeared to consider that the 74th clause was an insult to the whole Nonconforming body.

THE EARL OF HARROWBY: No; I said that the Nonconformist had viewed in the light of an insult what was intended as an act of conciliation.

THE DUKE OF RICHMOND AND GORDON said, he confessed he was very much astonished to hear that the insertion of a clause in a Bill not intended in any way as an insult to the Nonconforming body should have been accepted by them in that sense, more particularly as on two previous occasions that clause was inserted in a Bill which passed through this House, and through some of its stages in the other House. The noble Earl proposed the clause now before the Committee as a means of healing the differences which separated us from our Nonconformist brethren, and he said that it was absolutely necessary for that purpose that some such proposal as he had made should become law. But the noble Earl was hardly consistent; for he went on to say that Dissenters in country places did not differ at all from members of the Church of England, that the parents and children went one to the church and the other to the chapel, and that they did not object in any way to the ministrations of the clergymen of the Church of England. And yet the noble Earl said in order to do away with the difference between Nonconformists and Churchmen, a clause like this must be passed into law. The proposal would be very difficult to carry out in practice. The noble Earl proposed that the relative in charge of the funeral should have the deceased interred with such Christian and orderly services as he might see fit; but what were Christian and orderly services? Mr. Osborne Morgan, in "another place," had found it impossible to make a definition. Nor was this all; for there were a certain number of persons in this country who held peculiar opinions, and objected altogether to religious rites at funerals. Again, the noble Earl had laid some stress upon the fact that everyone had a common law right to be buried; but did this right belong only to Christians? If the argument were followed out it would be necessary to allow secularists to bury their dead with any service they thought proper. He submitted, then, that the precautions taken were not definite

or distinct. He hoped the House would seriously consider the question; and he wished to know why the Church of England was the only body which was not to be allowed to set apart a burying-ground for its own dead? He would like to have an answer to that question.

LORD SELBORNE said, that some of the noble Duke's observations called for a reply. He did not consider it necessary to attempt a definition of what was a "Christian" service, seeing that the law would not hold anyone to be a transgressor unless the service held by him were proved to be neither Christian nor orderly. The law would have no difficulty in determining if there were profane, or secular, or irreligious performance; and there already existed laws of the land on such subjects. Great legal authorities had dealt with this particular question. There was an Act of William III., imposing penalties on any person educated in or having made profession of the Christian religion who should by writing, printing, teaching, or advised speaking deny the Christian religion. That Act was still in force; and several well-known cases had been decided by great Judges, as prosecutions for blasphemy, in which no difficulty had been found in determining what was an assault upon Christianity in general, as distinguished from the lawful exercise of private judgment as to particular tenets, concerning which there were differences of opinion among persons calling themselves Christians. In the view of the law, all denominations calling themselves Christian, who were within the toleration Acts, and their religious observances, would be assumed to be Christian. With regard to secularists, they would be left in the position of persons who, not believing in religion, used no religious service; for, as to an irreligious form, it would not be a "service" at all. The two things were a contradiction in terms. There was, therefore, no question of religious liberty in their case. The case of the Jews would, of course, occur to all of them; but it was very rarely necessary to bury Jews in one of our churchyards, and we need not get into difficulties for their sakes. These clauses would leave them exactly in their present position. At present they could have a silent burial, and they would have a silent burial if these clauses were passed. There was no reason why we should not do what was necessary and sufficient to meet the case of Christian Nonconformists, a large and important body of their fellow-countrymen, without on that account giving up the Christian character of our churchyards. He had been much astonished to hear from a right rev. Prelate, (if he understood him rightly), that the Nonconformists could not, in his opinion, be consistent with their own principles, if they were satisfied with less than full liberty for irreligious and un-Christian, as well as religious and Christian observances. The right rev. Prelate (the Bishop of Peterborough) agreed that a state of things now existed which could not be safely allowed to continue, and that it was consistent with the principles of the Church of England, rightly understood, to permit services of Dissenting ministers in our churchyards.

THE BISHOP OF PETERBOROUGH: With the leave of the incumbent.

LORD SELBORNE thought if any scheme could be liable to practical objections it was that of the right rev. Prelate. If the clergyman of a parish were willing to admit a Dissenting minister and a Dissenting service he would have to assume the official responsibility of this departure from the ordinary practice of the Church. Again, supposing that in a diocese containing 200 parishes 100 clergymen were to grant this liberty while the remainder refused it, would such a state of things be conducive to peace? If the principle were right the law ought to settle the mode of carrying it into effect, and he did not know how this could be done better than by adopting the clause now under consideration.

THE BISHOP OF PETERBOROUGH said, he had no desire to degrade the character of Christianity or to facilitate un-Christian and disorderly services in our churchyards. It was almost unnecessary for him to make this denial but for the interpretation which the noble and learned Lord seemed to have put on his words.

On Question? Their Lordships *divided:* — Contents 102; Not-Contents 102:—The numbers being equal, it was (according to ancient rule) *Resolved* in the *Negative.*

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Grafton, D.
Saint Albans, D.
Somerset, D.
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Lansdowne, M.
Northampton, M.
Ripon, M.

Abingdon, E.
Airlie, E.
Camperdown, E.
Cawdor, E.
Chichester, E.
Clarendon, E.
Cowper, E.
Dartrey, E.
Ducie, E.
Fortescue, E.
Granville, E.
Harrowby, E.
Kimberley, E.
Morley, E.
Mount Edgcumbe, E.
Northbrook, E.
Portsmouth, E.
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Cardwell, V.
Eversley, V.
Gordon, V. (*E. Aberdeen.*)
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Exeter, L. Bp.
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Abercromby, L.
Aberdare, L.
Acton, L.
Auckland, L.
Balfour of Burleigh, L.
Beaumont, L.
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Dorchester, L.
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Lyveden, L.
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Ponsonby, L. (*E. Bessborough.*)
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NOT-CONTENTS.

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Coventry, E.
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Eldon, E.
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Lincoln, L. Bp.
Llandaff, L. Bp.
Peterborough, L. Bp.
Rochester, L. Bp.
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Airey, L.
Ashford, L. (*V. Bury*
Aveland, L.
Bagot, L.
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Elphinstone, L.
Forbes, L.
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Remaining clauses *agreed to.*

The Report of the Amendments to be received on *Monday* the 18*th of June* next; and Bill to be *printed*, as amended. (No. 80.)

PROVISIONAL ORDERS (IRELAND) CONFIRMATION (ARTISANS AND LABOURERS DWELLINGS) BILL [H.L.] (NO. 78.) A Bill for confirming certain Provisional Orders of the Local Government Board for Ireland relating to the boroughs of Dublin and Belfast: And

PROVISIONAL ORDERS (IRELAND) CONFIRMATION (ENNIS, &c.) BILL [H.L.] (NO. 79.) A Bill for confirming certain Provisional Orders of the Local Government Board for Ireland relating to Waterworks in the towns of Ennis and Limavady:
Were *presented* by The LORD PRESIDENT; read 1ª; and *referred* to the Examiners.

METROPOLIS IMPROVEMENT PROVISIONAL ORDERS CONFIRMATION (GREAT WILD STREET, &c.) BILL [H.L.] (NO. 81.) A Bill to confirm certain Provisional Orders of one of Her Majesty's Principal Secretaries of State for the improvement of certain unhealthy areas within the Metropolis:

CITY OF LONDON IMPROVEMENT PROVISIONAL ORDER CONFIRMATION (GOLDEN LANE, &c.) BILL [H.L.] (NO. 82.) A Bill to confirm a Provisional Order of one of Her Majesty's Principal Secretaries of State for the improvement of certain unhealthy areas in the City of London: And

GREENOCK IMPROVEMENT PROVISIONAL ORDER CONFIRMATION BILL [H.L.] (NO. 83.) A Bill to confirm a Provisional Order of one of Her Majesty's Principal Secretaries of State for the improvement of certain unhealthy areas in the Parliamentary Burgh of Greenock:
Were *presented* by The LORD STEWARD; read 1ª, and *referred* to the Examiners.

House adjourned at half past Eleven o'clock, to Monday the 4th of June next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, 17*th May*, 1877.

MINUTES.] — NEW MEMBER SWORN — The Honble. Frederick Stephen Archibald Hanbury-Tracy, *for* the Borough of Montgomery.
PUBLIC BILLS — *Ordered* — *First Reading* — Colonial Fortifications * [174]; Local Government Provisional Order (Sewage) * [175]; Blind and Deaf Mute Children (Education) * [176].
Second Reading—Committed to a Select Committee —New Forest * [150].
Committee—Universities of Oxford and Cambridge (*re-comm.*) [113]—R.P.
Committee—Report—Customs, Inland Revenue, and Savings Banks [143]; Summary Jurisdiction Amendment * [137-173]; Consolidated Fund (£5,900,000) *.
Considered as amended—Reservoirs * [132].

PRIVATE BILLS.

Ordered, That Standing Order 189 be suspended, and that the time for depositing Petitions against Private Bills, or against any Bill to confirm any Provisional Order, or Provisional Certificate, be extended to Thursday the 31st day of this instant May.—(*The Chairman of Ways and Means.*)

QUESTIONS.

NAVY—THE ARCTIC EXPEDITION—COMMITTEE ON SCURVY.—QUESTION.

MR. MITCHELL HENRY had the following Notice upon the Paper:—

"To ask the First Lord of the Admiralty, Why the Report of the Committee on the existence of scurvy in the recent Arctic Expedition has been so long delayed; whether the Report published in the "Times" of the 16th instant is the original Report, or whether it has been in any respect modified or mitigated in consequence of pressure from the Admiralty, or from any other official quarter; and, whether it is a fact that a large part of the supply of lime juice sent down to be put on board the "Albert" and the "Discovery," before they left England, was rejected by the Commanders of those ships on the ground that it had arrived too late and that there was not room for it on board."

The hon. Member, on rising to put the Question, said, that since he gave Notice of the first part of the Question the Report had been published, and therefore he withdrew that interrogatory. He would, however, put the second and third parts of the Question.

MR. HUNT: The hon. Member has withdrawn the first Question of which he gave Notice, as to why the Report was delayed. I must withdraw the second, because to my mind the second Question is of an insulting character. It is insulting to the Admiralty, and it is insulting to the Committee; and I must decline to submit to an insult, though put in the form of an interrogation. As to the last Question, I would say that there is no foundation in fact for the allegation contained in it.

MR. MITCHELL HENRY: I rise to a point of Order. I submit that there is nothing whatever in the Question of an insulting character. I had certainly no intention of asking anything insulting to anybody. It is a well-known fact that Reports are frequently referred back again for modification. I will put the question in any form in which the right hon. Gentleman may desire to have it modified. But I wish to have the information before the public; and, as the House will observe, the right hon. Gentleman has not answered either of these two most important Questions.

MR. HUNT: Mr. Speaker, the Admiralty appointed a Committee. That Committee was of a judicial character, and the hon. Member asks whether the

Admiralty have applied pressure to that Committee in order to induce them to modify their Report. I consider that an insulting question, and I have nothing to add to the answer that I gave to the Member on the subject. I have answered the third Question—namely, there is no foundation in fact in the allegation implied in that Question.

MR. MITCHELL HENRY: Will the right hon. Gentleman inform me whether the Report has, in any respect, been modified? That is the Question I desire to have answered—whether this is the original Report of the Committee, or whether the Report which is now published, which I may say is a very meagre one, is a modification of the original Report? ["Order!"]

MR. BUTT: I beg leave to inquire ——["Order!"]

MR. SPEAKER: The hon. and learned Member must give Notice of his Question.

MR. BUTT: I beg leave to move that this House do now adjourn. I must say that the manner in which the First Lord of the Admiralty seems to regard the Question, which refers to a matter of great interest, is not the manner in which a Question ought to be received by one of Her Majesty's Ministers. The Question which the hon. Member for Galway has put is, whether the Report published in *The Times* of the 16th instant is the original Report, or whether it has been in any respect modified or mitigated in consequence of pressure from the Admiralty, or from any other official quarter? Now, that is a very plain Question, and admits of a very plain answer, and that answer has not been given. It is a matter on which the House has a right to be informed, and on which any Member of the House has a right to put a Question. I really do not understand that this Question does reflect in the manner the First Lord assumes upon any official. I can easily conceive Reports being sent back to a Committee from an official quarter asking to have some error rectified; but, even suppose it does reflect upon anybody, that is the very reason why he should answer it, and why he should deny the allegation; and I say that we submit to a very great curtailment of the rights of Members if we are to be satisfied with a Minister getting up and saying—"I will not answer the Question, because I think there is an implied insult in it." That is a thing to which I think the House ought not to submit. I now move the Adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Butt.*)

THE CHANCELLOR OF THE EXCHEQUER: I regret very much that the heat has suddenly grown up; but I must crave leave to say that I think the Question, as it stands on the Paper, does convey a very serious reflection upon the Admiralty, because it implies that the Admiralty have taken some steps to get a Report which, as my right hon. Friend says, was intended to be of a judicial character, modified or mitigated. Now, if that had been done by the Admiralty it would have been undoubtedly a very serious offence, and one which would deserve serious notice. I do not think, therefore, the hon. Member for Galway has a right to put a Question of that sort, unless he has some ground to found such an assertion. If he has, I think it will be more convenient to the House and more fair to the Government that those grounds should be stated, and that some distinct Motion should be made, and in the absence of anything of that kind I think my right hon. Friend was justified in feeling hurt at a Question of this sort being put, and which by implication reflects very seriously upon the conduct of the Admiralty.

MR. MITCHELL HENRY: I am entitled to say a word on the Motion of my hon. and learned Friend. The Question I have asked is a definite one, and can be easily and definitely answered. It is, whether the Report is the original Report, or whether it has been modified for any reason? If it has not been modified, then let the right hon. Gentleman say so, for he knows perfectly well that the proceedings of courts martial, which are judicial inquiries, are frequently referred back for alteration in the finding, and so are all these Reports. If this Report has been modified, we have a right to know further particulars; and I should then give a Notice of Motion upon the subject. But I protest against the language of the right hon. Gentleman. I protest against his applying to me—nor shall he do it in

this House or elsewhere—language of the kind in which he was pleased to indulge. He spoke of my having put an insult upon him, to which he would not submit. I have done no such thing. These Questions are frequently answered, and I submit that the right hon. Gentleman is disorderly in the language he has used to me, and which will not at all intimidate me in the performance of my public duty.

SIR JOSEPH M'KENNA: I think the hon. Member for Galway misapprehended altogether the judicial character of the tribunal to which this Question was referred, and the misunderstanding arises altogether from that fact. If my hon. Friend had known that the Admiralty had referred this inquiry to a judicial tribunal, I am sure he would be the last man in the House to reflect upon the Admiralty, or to assume for a moment that the Report had been modified. I am quite sure that the First Lord would not be guilty of putting pressure upon any Committee of a judicial character.

MR. LYON PLAYFAIR believed that if the right hon. Gentleman knew the feeling which prevailed amongst medical men on the subject to which the Question of the hon. Member referred he would be very desirous to give information upon it. There was, rightly or wrongly, a general impression that a Report was agreed upon by the Committee, and that, for some reason or other, it had been delayed, and finally altered by the Committee. He did not approve of the language in which the Question of the hon. Member was expressed. But, if the right hon. Gentleman had no objection, he would be prepared to ask him, after the other Questions had been disposed of, whether the Report published in the newspapers on the 16th instant was the original Report as it passed the Committee, or whether it had been in any respect modified?

MR. HUNT: I have not the slightest objection to answer the Question in that form. The Report laid upon the Table of the House is the only Report I have seen or heard of. It bears date the 3rd of March, and was presented to the Admiralty by the Chairman of the Committee, accompanied by a note stating that they had not yet obtained the Report or Memorandum of the Members of the Medical Committee. The Report was detained until that memorandum was received in a complete shape, and as soon as it was received—namely, on the 7th of March, the Report of the Committee was immediately laid upon the Table of the House. I do not know whether it has yet been circulated among hon. Members. There has been no delay whatever in producing it; and no intimation has been given to the Committee by the Admiralty, except to thank them for the pains they had taken in conducting the inquiry.

Motion, by leave, *withdrawn.*

MR. MITCHELL HENRY: I beg to give Notice that after Whitsuntide I shall ask whether the Report of the Committee, which has been printed as a Parliamentary Paper and issued to hon. Members, is that which was originally come to by the Committee, or whether it has been in any respect modified?

NAVY—H.M.S. "NEWCASTLE."

QUESTION.

MR. EVELYN ASHLEY asked the First Lord of the Admiralty, Whether, in accordance with his promise made in this House on the 9th February, a Court of Inquiry has been held to investigate the circumstances attending the drowning on the 13th of December last in the China seas of Mr. Wingfield, midshipman, and three seamen belonging to Her Majesty's ship "Newcastle?"

MR. HUNT, in reply, said, that a Court of Inquiry would sit to-morrow at Sheerness to inquire into the matter referred to in the Question. The Court would be an open one. The father of the poor young man who had been midshipman on board the ship had received notice of the inquiry; and although he could not, according to the rules, appear as a prosecutor, either in person or by counsel, any question he might suggest to the Court would be put to the witnesses, subject to the discretion of the president.

POST OFFICE TELEGRAPHS—CHARGES.

QUESTION.

MR. JACOB BRIGHT asked the Postmaster General, If his attention has been called to a correspondence in the Manchester newspapers on the subject of the

anomalies of the Post Office Telegraph charges; whether it is true that a message of twenty words from hence to Vienna costs 7*s.* 8*d.*, while a message from Vienna to Manchester costs barely 6*s.*; a message from hence to any part of Germany costs 7*s.*, while a message from Germany to Manchester costs barely 6*s.* 3*d.*; the registration fee for a letter from England to Germany costs 4*d.*, while a registration from Germany to England costs only 2½*d.*; a pattern weighing under an ounce from England to Germany costs 1*d.*, while a pattern of similar weight from Germany to England costs ½*d.*; and, whether he will consent to the changes that have been proposed, in order to relieve those who are engaged in the commerce of the country?

LORD JOHN MANNERS: My attention has been called to the correspondence in question. In respect to the telegraph charges, they are based on the regulations settled at the St. Petersburg Telegraph Conference of 1875, and another Conference will sit in London in the spring of next year, when these particular charges will be re-considered and probably reduced. In respect to the postal charges, they are based on the regulations of the Postal Conference of 1876; and although another Conference will be held in London in 1878, I cannot, of course, predict that these particular charges will be modified or reduced. I may add that the pattern post charge of 1*d.* from England to Germany carries matter up to two ounces in weight, and not only up to one ounce as stated in the Question.

QUEEN'S UNIVERSITY (IRELAND).
QUESTION.

MR. COWPER-TEMPLE asked the Chief Secretary for Ireland, Whether it be true that the bye-law passed in 1876, by the Senate of the Queen's University for the admission of women to examination for degrees in art and medicine, has been thwarted and rendered inoperative by a refusal on the part of the Councils of Professors of the Queen's Colleges of Belfast, Galway, and Cork, to admit any of the female students who presented themselves for matriculation?

SIR MICHAEL HICKS-BEACH: I have no official knowledge of the proceedings of the Councils of the Queen's Colleges; and I have not been able to obtain in the short time that has elapsed since the right hon. Gentleman gave Notice of his Question, full information as to what may have passed in them on this subject. But, so far as the information enables me to reply, I do not think that any action taken by them can fairly be described as thwarting or rendering inoperative the bye-law of the University allowing women to be admitted to examination for degrees in arts or medicine. I may remind the right hon. Gentleman that the Government have no authority over the College Councils in such matters; and it appears to me that, even if they had, any attempt by the Government to compel them to act in a certain direction, would be contrary to the spirit of the law under which they were established.

THE MAGISTRACY—COMMITTALS AT KNUTSFORD.—QUESTION.

MR. HOPWOOD asked the Secretary of State for the Home Department, Whether his attention has been called to the complaint made by the justices of Altrincham, in the county of Chester, that they were called upon to try offences committed at Knutsford, seven miles off, whether, the police gave as an excuse that they could find no magistrate at Knutsford; whether, in consequence, prisoners are sometimes kept at Knutsford several days for trial, and are conveyed handcuffed to Altrincham; and whether he will use his influence to correct this state of things?

MR. ASSHETON CROSS, in reply, said, some of the magistrates at Knutsford having been returned to that House and others having died, he had received representations as to the inconvenience which had thus been caused in the neighbourhood, and had sent them to the Lord Lieutenant in order that he might take action in the matter.

NATIONAL EDUCATION (IRELAND)—NATIONAL SCHOOL OF RAHEERA.
QUESTION.

MR. BUTT asked the Chief Secretary for Ireland, Whether any representations have been made to the Commissioners of National Education in Ireland to the effect that Colonel Lloyd, being the manager of a National [illegible] in the

county of Monaghan, has endeavoured to compel the tenants on the estate of Lord Rossmore, over which he is agent, to withdraw their children from the neighbouring National School of Raheera (although that school is conducted in all respects in accordance with the rules of the Board) by threatening to deprive them, and actually proceeding in some instances to deprive them, of the privilege of turbary, which they have hitherto enjoyed in connection with their farms, if they permitted their children to attend that school; and, whether any steps have been taken by the Commissioners in reference to Colonel Lloyd's position as manager of a National School in consequence of such representations?

SIR MICHAEL HICKS-BEACH: I am informed that some representations of the kind referred to have been made to the Commissioners of National Education by the Rev. L. J. O'Neil and other priests in the neighbourhood; but, on the other hand, other representations have been made by Colonel Lloyd that undue interference has been exercised by the priests in obtaining the withdrawal of children from schools of which he is manager. The whole question is at present under the consideration of the Commissioners of National Education.

NATIONAL SCHOOLS (IRELAND)—MONAGHAN.—QUESTION.

SIR JOHN LESLIE asked the Chief Secretary for Ireland, Whether his attention has been called to existing difficulties concerning National Schools on Lord Rossmore's estate in the county of Monaghan; whether the Rev. Laurence J. O'Neil, who has been the recognized manager of Rakeeragh National School, is the same person who was dismissed from the chaplaincy of Monaghan Gaol for procuring the signature of a prisoner to a Poor Law voting paper; and, whether there is any objection to lay before the House a Copy of the Correspondence which has taken place relative to Drumgarley, Rakeeragh, and Tattencleare National Schools, between the managers of said schools, the district inspector, Colonel Lloyd the agent to Lord Rossmore, and the Commissioners of the National Board of Education?

SIR MICHAEL HICKS-BEACH: This Question is one of administration by the Commissioners of National Education, and my attention has only been called to it by the Notices of the Questions of my hon. Friend and the hon. and learned Member for Limerick, and by a communication which I have received from my hon. Friend. I am informed that the Rev. L. J. O'Neil is the same person who was dismissed from the chaplaincy of Monaghan Gaol for procuring the signature of a prisoner to a Poor Law voting paper. I do not think there would be any objection to the production of the correspondence on the subject, except that I believe it is rather voluminous; but if produced, of course it should fairly show both sides of the question.

POST OFFICE—SEIZURE OF BOOKS, &c. QUESTION.

MR. P. A. TAYLOR asked the Postmaster General, Whether it is a fact that during the last week a large quantity of publications, including the following, viz.: a newspaper called the "National Reformer," three pamphlets written by Mr. Charles Bradlaugh, and a pamphlet entitled "No. 10 of the Freethinker's Text Book," written by Mrs. Besant, have been seized and detained at the General Post Office, under the Act 33 and 34 Vic. c. 79, s. 20, as "indecent or obscene;" if he is aware that these publications have been regularly sold without complaint or prosecution; and, whether he will lay upon the Table a Copy of the Regulations issued with the approval of the Treasury required by the Act?

LORD JOHN MANNERS: I am informed that none of the publications specified in the Question of the hon. Gentleman have been detained at the General Post Office, and I cannot say that I know anything about the circumstances of the sale of these publications. Some copies of a publication entitled *Fruits of Philosophy* have been detained under the Act 33 & 34 *Vict.* c. 79, s. 20, as "indecent." Regulations were made under Section 20 with the approval of the Treasury. They are dated the 26th of September, 1870, and I shall be happy to lay a Copy on the Table of the House if the hon. Member moves for it.

THE EASTERN QUESTION—THE LATE NEGOTIATIONS.—QUESTION.

MR. E. JENKINS asked the Under Secretary of State for Foreign Affairs,

Whether Her Majesty's Government are aware that after the Conference at Constantinople, and before the negotiations preceding the Protocol of London, the Government of the Sublime Porte had itself propounded or suggested its willingness to send a Special Envoy to St. Petersburg to treat on the subjects of disarmament or demobilisation; and, whether the phrase in the Russian declaration attached to the Protocol, viz.,

"qu'elle envoie à St. Petersbourg un Envoyé Spécial pour traiter du désarmement, auquel Sa Majesté L'Empereur consentirait aussi de son coté,"

was more than a reference to this previous suggestion or proposal of the Porte?

MR. BOURKE: I am afraid I can only inform the hon. Member for Dundee that we have no information at the Foreign Office with respect to the willingness of the Sublime Porte at any time to send a Special Envoy to St. Petersburg, beyond that which is contained in the Papers which have been laid upon the Table.

AFRICAN EXPLORATION—MR. STANLEY.—QUESTION.

MR. ANDERSON asked the Under Secretary of State for Foreign Affairs, Whether any communication has been received at the Foreign Office, or to his knowledge by any of Her Majesty's Consuls in Africa, from Mr. H. M. Stanley, in reply to Lord Derby's Despatch, informing him that he had no authority to use the British flag in his attacks on the natives at Bambireh Island, Victoria Nyanza, in July and August, 1875?

MR. BOURKE: I think the most satisfactory answer I am able to give to the Question of the hon. Member for Glasgow is, "No."

MR. ANDERSON: As none has been received, I beg to give Notice that I will repeat the Question in June.

CRIMINAL LAW—CASE OF ALBERT JONES.—QUESTION.

MR. MORGAN LLOYD asked the Secretary of State for the Home Department, If he will inquire whether it be true that, on the third instant one Albert Jones, aged eight years, was committed to Montgomery Gaol by two of the Welshpool Borough Justices, to be kept on remand until this day, on a charge of stealing twenty-four shillings—bail being refused; whether, as stated by the boy's mother to one of the Visiting Justices, she was, on the 10th instant, requested to induce her husband to vote for the Conservative candidate at the now pending election, and declined to do so because her boy was kept in prison; and, whether, on the following day, the boy was released by an order signed by one of the committing magistrates on the express stipulation that the boy's father would vote for the Conservative candidate?

MR. ASSHETON CROSS: Since this Question was put to me the other day, the hon. Member handed to me a letter signed by a Mr. Crewe Read, and in consequence of that letter I thought it right to make inquiry in the locality. I have not yet got an answer by post myself; but an hon. Friend of mine has placed in my hand a letter signed by the Mayor and one of the committing magistrates, in which they say they entirely deny the statements, or that there is the slightest foundation for the accusation. I received a few minutes ago a telegram from the Mayor of Welshpool to say that he has replied to my communication by post denying the charge, and that, if necessary, he would come up this evening in order to explain the whole matter.

MR. MORGAN LLOYD: Will the right hon. Gentleman read the letter of Captain Crewe Read that I handed to him? ["No!"] May I ask if the boy was committed?

MR. ASSHETON CROSS said, he thought he had explained that he had written down to Welshpool, and that he had not yet received an answer. As soon as he received it he should be glad to place it in the hands of the hon. and learned Member.

MR. MORGAN LLOYD gave Notice that he would again call attention to this question after the holidays.

LOCAL GOVERNMENT (SCOTLAND)—STATISTICAL RETURNS.

QUESTION.

SIR GEORGE CAMPBELL asked the Secretary of State for the Home Department, Whether his attention has been called to the circumstance that, owing

to the functions of the Local Government Board not extending to Scotland, the statistics of local government and taxation supplied for England and Ireland are not supplied for Scotland; and, if he will take steps to provide for such Returns?

MR. ASSHETON CROSS, in reply, said, that the hon. Gentleman should remember that the Local Government Board was merely an extension of the old Poor Law Board. If the hon. Member would communicate with the Lord Advocate, he would have no difficulty in obtaining the information he wanted.

RUSSIA AND TURKEY—THE WAR—BLOCKADE OF THE BLACK SEA PORTS.—QUESTION.

MR. WAIT asked the Under Secretary of State for Foreign Affairs, On what date official advice was forwarded to the British Consul at Odessa that the commencement of the blockade of the Black Sea ports by the Ottoman Porte had been deferred for seven days; if it is true that the British Consul received this important information only through the Italian Consul; and, why no official notification was forwarded to him, while foreign Despatches reported the decree of blockade on the 5th instant?

MR. BOURKE: A telegram was sent on the subject to Consul General Stanley at Odessa, and to the other Consuls in Turkey on the 10th instant. The regulations regarding the extension of the time of the blockade were received at the Foreign Office on the 8th instant, and were immediately made public.

CHINA—THE MARGARY EXPEDITION. QUESTION.

MR. HOLT (for MR. MARK STEWART) asked the Under Secretary of State for Foreign Affairs, When the Report of Mr. Grosvenor's Mission to Yunnan, with the remainder of the Papers connected with the Margary Expedition, and also the Papers of the recent Convention between Sir Thomas Wade and the Chinese Government, will be laid upon the Table?

MR. BOURKE: I can assure the hon. Member that Her Majesty's Government are as anxious as he is that these Papers should be produced as soon as possible; but there are a great number of other Papers of a very voluminous character now being printed at the Foreign Office. These Papers are now in a very forward state, and they will be presented to the House as soon as possible, taking into consideration the importance and the voluminous character of these and the other Papers which are now being printed by the Foreign Office.

ARMY PROMOTION AND RETIREMENT. QUESTION.

MR. CHILDERS asked, When the scheme of the Government with regard to Promotion and Retirement will be submitted to the House?

MR. GATHORNE HARDY, in reply, said, that the subject was still under the consideration of the Treasury, and he had not received their opinion upon the scheme. He proposed, when he was in a position to do so, to lay before the House a Paper containing the heads of the scheme. He would then make a statement to the House, so as to give hon. Members a full opportunity of discussing the subject, and it was his desire to give the House the fullest information at the earliest possible moment.

ARMY—MILITIA RECRUITS. QUESTION.

MR. BRIGGS asked the Secretary of State for War, If he will inform the House how many of the 38,000 recruits enlisted last year for the Militia were under 18 years of age, how many were between 18 and 25, and how many were over 25 years of age?

MR. GATHORNE HARDY, in reply, said, there was no Return in the War Office on the subject. It would be necessary to communicate with every Militia Adjutant in the Kingdom to obtain such information as the hon. Member desired. He did not think it was worth while to make investigation, and therefore he was not prepared to call on the Militia regiments to make a Return.

TURKEY—BOSNIA.—QUESTION.

MR. SHAW LEFEVRE asked the Under Secretary of State for Foreign Affairs, Whether the Government have received any Report from Vice Consul Freeman as to the recent massacres at

Ochievo in Bosnia, or generally as to the condition of that province?

MR. BOURKE: We have received a telegram from Consul General Holmes stating Mr. Freeman had returned from visiting Glamosch and Ochievo, and that his Reports are on their way home. They will be presented without delay when they arrive.

PARLIAMENT—THE WHITSUNTIDE RECESS.

THE CHANCELLOR OF THE EXCHEQUER moved "That the House, at its rising, do adjourn till Thursday the 31st day of this instant May."

MR. GOSCHEN thought it would be for the convenience of the House if the right hon. Gentleman would state what Business would be taken on Thursday, the 31st, and on the following Monday.

THE CHANCELLOR OF THE EXCHEQUER: We propose on Thursday, the 31st, to take Supply (Civil Service Estimates), and on Monday, assuming that we do not finish the University Bill to-night, to go on with that Bill.

Motion *agreed to.*

ORDERS OF THE DAY.

UNIVERSITIES OF OXFORD AND CAMBRIDGE (*re-committed*) BILL—[BILL 113.]

(*Mr. Gathorne Hardy, Mr. Assheton Cross, Mr. Walpole.*)

COMMITTEE. [*Progress 15th May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 23 (Union of Colleges and Halls or combination for education).

MR. DODSON moved, in page 8, lines 30 and 31, to leave out "with the consent in writing of the visitor of the College." The clause enacted that—

"The Commissioners, in statutes made by them, may from time to time make provision for the complete or partial union of two or more Colleges, or of a College or Colleges, with a Hall or Halls, or of two or more Halls, or for the organization of a combined educational system in and for two or more Colleges or Halls, provided application in that behalf was made to the Commissioners on the part of each College and Hall, as follows:—(1.) In the case of a College in the University of Oxford, by resolution passed at a general meeting of the College, specially summoned for this purpose, by the votes of not less than two thirds of the number of persons present and voting, with the consent in writing of the Visitor of the College."

The clause, as it stood, would apparently give the Visitor a direct and concurrent power with the College itself in that matter. The consent of the Visitor was not required in the University of Cambridge, and he did not see why a difference should be made in the case of Oxford.

Amendment proposed, in page 8, lines 30 and 31, to leave out the words "with the consent in writing of the visitor of the college."—(*Mr. Dodson.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. GATHORNE HARDY said, he would not feel himself justified in depriving the Visitor of a College in Oxford of exercising the power which the Amendment sought to take away from him. He maintained that, in a matter of such importance as the union of Colleges and Halls, the Visitor was a very proper person to be consulted, not against the Commissioners, but for the benefit of the Colleges. Therefore, although the consent of Visitors might not be required at Cambridge, where they had never been called in in the same way as at Oxford, he adhered to the clause as it stood.

MR. KNATCHBULL-HUGESSEN remarked that as the Visitors did not seem to be of any practical use, the present occasion might very well be taken to get rid of them. He confessed that the existence of these Visitors had always been a mystery to him. Each College was *totus, teres, atque rotundus* in itself, and there was besides a Governing Body for each University to assist the College if necessary. He could not see the necessity of a Visitor, who was only an additional complication of authority, and certainly it was not desirable to increase his authority as was now proposed.

MR. GOSCHEN considered the proposed power unreasonable. There was at present considerable feeling against the Visitors, and it would be unwise to complicate the matter further by giving them this power. It had been truly said that the power was proposed not against the Commissioners, but as a veto upon

the Colleges, and that was practically a veto on the Commissioners. If anything would damage this useful Bill, it would be the introduction of such words as formed part of this clause.

MR. STAVELEY HILL trusted that the right hon. Gentleman (Mr. Hardy) would give way, because he could not see any reason for putting the power into the hands of one man of preventing the union of Colleges.

LORD EDMOND FITZMAURICE did not see that the Visitor, who had no proprietary rights, had any title to interfere in the manner proposed by the clause. The clause was not a judicial matter at all.

MR. BERESFORD HOPE trusted that his right hon. Friend would not consent to the Amendment. An Oxford Visitor was a totally different person from a Cambridge Visitor; and it was only equitable that he should be put in the position which the clause proposed to give him, and that his consent should be obtained to any proposal for a union of Colleges and Halls, or for the organization of a combined educational system in those Colleges of Halls. In Oxford the Visitor had already the power to veto certain statutes.

SIR WILLIAM HARCOURT challenged the statement that there was any difference in authority between the Visitors at Oxford and Cambridge. There might be a difference in principle in the two cases, but not, as far as he was aware, in any other respect. He thought that nothing was so desirable in the interests of a University as the amalgamation of small powers.

MR. DODSON remarked that the function of the Visitor at Oxford was to interpret statutes when a doubt or question arose as to their meaning; he was applied to as an arbitrator in the case of difference, and he had, in some cases, power when alterations were proposed in the statutes. This was substantially the case at Cambridge.

MR. COURTNEY said, he did not see why, even on the largest view of the rights and privileges of the Visitors, their assent should be required to the organization of a scheme of combined education in connection with contiguous Colleges, and he suggested that the clause might be altered so as to make the consent necessary in the case only of complete union of the Colleges.

MR. GATHORNE HARDY was willing to agree to such an Amendment.

MR. GOSCHEN asked whether the right hon. Gentleman intended that in a case where, say, two-thirds of the members of two Colleges agreed to union and the Commissioners also agreed, it should be in the power of a single Bishop to prevent it? If that was the result, the matter would probably soon have to be re-considered.

MR. MOWBRAY thought the concession which had been made by the right hon. Gentleman (Mr. Hardy) sufficiently met the case, and he insisted that much was due to the position of the Visitor as the permanent representative and guardian of the interests of the College.

MR. KNATCHBULL-HUGESSEN said, that at last he perceived the reason why the Visitor was dragged into this clause. His right hon. Friend (Mr. Mowbray) had just spoken of Colleges "of which two-thirds of the Fellows might be young men." There, then, was the secret. The Government desired to have these Visitors—most of whom were Bishops in the case of Oxford—to check and control the enthusiasm of the younger Fellows for College reforms. Now, at last he understood the matter, and it increased his objection to the words of the clause. But since these words were not to apply to Cambridge because its Representative (Mr. Walpole) found that Cambridge did not want them, he (Mr. Knatchbull-Hugessen) wished to know how far the feeling at Oxford on the matter corresponded with that which had so satisfactorily been obtained from Cambridge? And what was the reason of the Government for applying a principle to one University and rejecting it in the other?

MR. GATHORNE HARDY said, he thought he had gone as far as he could in accepting the suggestion of the hon. Member for Liskeard (Mr. Courtney). The present clause, he might add, had come down from the House of Lords in the Bill of last year, and, as not a single objection to it had been made on the part of Oxford, it might fairly be taken for granted that the University was not opposed to it.

Question put.

The Committee *divided*:—Ayes 160; Noes 112: Majority 48.—(Div. List, No. 132.)

MR. DODSON gave Notice that he would again submit his Amendment on the Report.

MR. GATHORNE HARDY undertook to introduce in the clause, on the Report, the words suggested by the hon. Member for Liskeard.

Clause, as amended, *added* to the Bill.

Clause 24 (Saving respecting Hulme Exhibitions at Oxford.)

MR. MOWBRAY moved, in page 9, line 2, after "thereto," to insert—

"Except as regards so much of the funds or property of the trustees under the same as the Charity Commissioners under any scheme or schemes published by them have assigned for Scholarships or Exhibitions at Brasenose College, Oxford,"

the effect of the Amendment being to take away the Exhibitions from the control of the Charity Commissioners.

Amendment proposed,

In page 9, line 2, after the word "thereto," to insert the words "except as regards so much of the funds or property of the trustees under the same as the Charity Commissioners under any scheme or schemes published by them have assigned for scholarships or exhibitions at Brasenose College, Oxford."—(*Mr. Mowbray.*)

MR. WILBRAHAM EGERTON, who had an Amendment on the Paper requiring that the Charity Commissioners should give their consent to any transfer, the effect of the Amendment being to leave those Exhibitions, &c., under the control of the Charity Commissioners, and to exempt them from the control of the University Commissioners said, as a trustee of 15 years standing he objected to the scheme of the Charity Commissioners, which had now been published after four years' consultation with all the parties interested, being taken out of their control and handed over to the University Commissioners who might found Professorships out of the educational prizes now offered to the schools of Lancashire and Cheshire by the proposed scheme.

MR. OSBORNE MORGAN said, as he understood the case, some of the funds of this charity were devoted to academical and others to non-academical purposes. The Amendment ought to deal only with the academical funds for the benefit of Brasenose. He would withdraw his Amendment to leave out Clause 24.

MR. GATHORNE HARDY said, that the Charity Commissioners had received a large sum, and had devoted a part to the benefit of the two counties, and another part for the benefit of Brasenose, for Scholarships. He understood his right hon. Friend (Mr. Mowbray) to mean that the money assigned to Brasenose should be dealt with by the University Commissioners. As the consent of the Charity Commissioners was completed when they assigned the money to Brasenose, he could not see the use of the words "with the consent of the Charity Commissioners."

MR. HIBBERT said, that the scheme limited the persons to receive those Scholarships to persons brought up in Lancashire or Cheshire, and the money should be devoted to that purpose.

MR. ASSHETON thought that the Amendment of the hon. Member for Mid-Cheshire (Mr. W. Egerton) was the better.

MR. GOSCHEN agreed with the right hon. Gentleman that as far as these funds were academical they should be dealt with by the Academical Commissioners; and as far as they were charitable they should be dealt with by the Charity Commissioners. The object of the hon. Member's Amendment was to preserve the local character of certain Exhibitions, which was in direct opposition to the general tendency of University reform.

MR. A. EGERTON remarked that the Amendment, if accepted, would upset the work that had been in progress for many years.

MR. OSBORNE MORGAN observed that close Fellowships and Scholarships had been the bane of the Universities, and he hoped to see them swept away.

MR. BERESFORD HOPE contended that it was absurd to designate as close Scholarships and Exhibitions which were open to counties with such large populations as Lancashire and Cheshire. The right hon. Gentleman (Mr. Mowbray) was waking a sleeping lion by his Amendment.

MR. MOWBRAY said, that the scheme was that 16 Exhibitions of £100 per annum were to be established, tenable for four years, at Brasenose, and if the holders were refused at Brasenose, at some other College at Oxford. The holders were to have been at some Lancashire or Cheshire school.

SIR WILLIAM HARCOURT said, it had been proposed for the first time that these Exhibitions, which were open to all the world, should be limited to Lancashire and Cheshire in the face of all University reform, the great object of which had been to throw open the Universities to everybody. He had had a letter from the principal of Brasenose, who had authorized him to say that the College considered that it would be a very serious evil to the College if changes of this limited character were introduced, and they desired that the matter should be left to the Commissioners.

MR. BARING wished, as he was the only Member who had ever been a Fellow of Brasenose College, to deny absolutely that the property in question had ever in any way belonged to the University of Oxford, or to Brasenose. Nor had either the University or the College ever exercised over it any control whatever. The funds arose from a private trust which was vested entirely in three trustees, who must at least by residence be connected with Lancashire, their choice of Exhibitioners being, however, restricted to persons who had resided for a certain number of terms at Brasenose. He could not assent to the statement of hon. Members opposite that the scheme of the Charity Commissioners ran counter to the spirit of recent legislation, and the course of the former University Commission. He knew that half the Scholarships at New College could only be held by boys educated at Winchester; that many of those at Jesus were limited to Welshmen; that the Hastings Exhibitioners at Queen's must come from certain schools in Yorkshire; and he believed that at Balliol there were many valuable Exhibitions, tenable only by youths from one of the Scotch Universities. It seemed to him, therefore, that hon. Members somewhat strained the fact when they said that the object and tendency of the legislation of the last 24 years had been to get rid of the connection between particular schools and localities, and the Exhibitions or Scholarships in the University. He thought that the clause might very well stand as it was in the Bill; but of the two Amendments he very much preferred that of his hon. Friend just below him (Mr. W. Egerton).

MR. LYON PLAYFAIR thought the clause as proposed by the right hon. Gentleman opposite (Mr. Hardy) answered all purposes, and that the Committee might divide upon it, although he feared that the Government would not now support their own clause.

MR. GOSCHEN was desirous that the Commissioners should deal with all Scholarships and Exhibitions. Academical, and not Charity Commissioners should deal with these questions.

MR. WILBRAHAM EGERTON said, he could not see how Exhibitions which were thrown open to 3,000,000 of people could fairly be called close Exhibitions. The trustees had not been behind the spirit of the age, and when they proposed to throw open the Exhibitions to the whole of the University they were met by Brasenose College with a refusal.

SIR THOMAS ACLAND said, he thought the Commissioners ought to have the power of dealing freely with those foundations to the extent of not restricting them to particular Colleges. If they were to have free trade in respect to counties, they ought to have free trade in respect to Colleges. Was there any power in the Bill to open local trusts now limited to particular Colleges?

MR. GATHORNE HARDY said, that it would depend on what the Exhibitions were. Those really attached to one College could not be removed to another or thrown open to the University.

Amendment amended.

Question put,

"That the words 'except as regards so much of the funds or property of the trustees under the same as the Charity Commissioners under any scheme or schemes published by them may assign for scholarships or exhibitions at Brasenose College or elsewhere in Oxford' be there inserted."

The Committee *divided*:—Ayes 100; Noes 68: Majority 32.—(Div. List, No. 133.)

Clause, as amended, *agreed to*.

Clause 25 (Severance of canonry from Greek professorship at Cambridge).

MR. BERESFORD HOPE moved, in page 9, line 11, after "character," to insert—

"With power nevertheless for the Commissioners, with the concurrence of the Ecclesiastical Commissioners, if they think it expedient,

to allow the present Professor to resign the professorship, and to hold the canonry as if it had never been annexed to the professorship."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 26 (Saving for statutes of Trinity College, Cambridge, as to professorships of Greek, &c.) *agreed to.*

Clause 27 (Alteration of trusts of Dixie Foundation in Emmanuel College, Cambridge) *agreed to.*

Clause 28 (Saving for headship of Magdalene College).

SIR CHARLES W. DILKE moved the omission of the clause which provided that

"a statute made by the Commissioners shall not affect the right of nominating or appointing to the headship of Saint Mary Magdalen College in the University of Cambridge, unless the consent by deed of the person entitled to that right is first obtained."

Private nominations of that kind were, in his opinion, inconsistent with a scheme of general reform.

MR. WALPOLE pointed out that this was a special case. The right of nomination had been reserved by the founder of the College to himself and his heirs, and was exactly analogous to a private right of Church patronage. If such a right were taken away, he apprehended it could only be by arrangement with the patron.

MR. GOSCHEN asked whether the right of nomination was absolutely unfettered? As a matter of fact, it had generally been exercised in favour of a relative. He suggested that the Commissioners should be empowered to seek the consent of the parties interested in order to put an end to the present preposterous arrangement.

MR. KNATCHBULL-HUGESSEN inquired whether it was really meant that the Commissioners should have power to alter the arrangements as to the Headship of the Colleges in every case but this one, in which the Headship happened to be in the gift of a wealthy nobleman?

SIR CHARLES W. DILKE observed that the analogy drawn by the right hon. Gentleman (Mr. Walpole) was hardly correct; for, inasmuch as the person presented took his turn as Vice Chancellor of the University, it would be truer to compare the right to a right of nomination to a Bishopric.

MR. BERESFORD HOPE supported the view taken by his right hon. Friend, and asked who had been damnified by the arrangement? The present Master of the College possessed great influence in Cambridge, and was emphatically a representative man. The list of Masters of Magdalen College might well compare with that of the Masters of other Colleges. For instance, in one of the decadent periods of the University Dr. Farmer, one of the fathers of Shakesperian criticism, held the post.

MR. A. MILLS wished to know whether there was any check whatever on the nomination?

MR. WALPOLE read an extract from the Latin charter of the College, showing that the power of appointment was vested in the owner of the estate of Audley End: and he added that it was necessary the person selected should be a graduate of the University and a Master of Arts. He submitted that it would be an unreasonable thing under the special circumstances of the case, not to reserve the right proposed to be continued by the clause.

MR. KNATCHBULL-HUGESSEN had heard no sufficient reason why Magdalen College should be the only one exempted from the operation of the Commissioners. As his question had not been answered, he took it for granted that it was the fact that this was the only College with whose Headship the Commission was to be specially forbidden to deal. Now, how stood the matter? The Government had just voted against confining certain exhibitions to two counties. Parliament had dealt with founders' wills in this way over and over again, and deprived particular localities of Scholarships and endowments bequeathed specially for those localities, and they had so interfered with only one justification—namely, that of public policy. Now, was it in accordance with public policy that an individual should receive consideration denied to localities, and that an exception should be made in order to give to a nobleman and landed proprietor that which you denied to others—the right to keep a privilege against the public interest?

MR. MARTEN contended that the course suggested ought not to be adopted

unless the proprietor of the right sought to be affected had an opportunity of being heard. It was a chartered right granted to Lord Audley and his heirs. Parliament was not accustomed to interfere in the manner suggested with rights granted by charter, much less to delegate such a power to Commissioners. To do so in the present case would establish an evil precedent. No case had been made out for any interference with the charter. The right was one which had hitherto been exercised by the possessor of the estate of Audley End, to the satisfaction of the University and the public. Everyone who had the pleasure of the acquaintance of the present Master of Magdalen College would acknowledge that he was a most distinguished man, and worthy, in every respect, to rank with any head of a College in the University. As to a possible sale of Audley End, there was no reason to apprehend such a contingency, or to conclude that any future appointment under the charter to the office of Master of the College would be otherwise than such as would conduce to the welfare and honour of the College and University.

SIR CHARLES W. DILKE said, the grant was to the "heirs and assigns," and the assignee might not only not be a member of the Christian religion, but might be a rich but ignorant tradesman, who would not certainly be the best judge of the qualifications necessary for the Headship of a College.

Question put.

The Committee *divided:* — Ayes 63; Noes 43: Majority 20. — (Div. List, No. 134.)

Clause *agreed to.*

Clause 29 (Communication of proposed statutes for University, &c., to Council, &c.), *agreed to.*

Clause 30 (Publication of proposed statutes for Colleges), *agreed to.*

Clause 31 (Suspension of election), *agreed to.*

Clause 32 (Saving for existing interest), *agreed to.*

Clause 33 (Production of documents), *agreed to.*

Clause 34 (Power in Cambridge for Chancellor to settle doubts as to meaning of University statutes), *agreed to.*

Representation of Colleges.

Clause 35 (Election of Commissioners by Colleges).

MR. KNATCHBULL-HUGESSEN moved in page 11, line 8, after "persons," to leave out "to be Commissioners." He regretted that this point, one of the most important in the Bill, should have come on at such an unfortunate hour (9 o'clock), and in such a thin House. It had at first been suggested to him to move that these three Representatives should be assessors instead of Commissioners; but his difficulty was that he had never been able to ascertain exactly what an assessor was. He had therefore preferred, in a subsequent Amendment, contingent upon the success of that which he now moved, to define what the duties of these gentlemen should be, without assigning to them any particular name. The object of his Amendment was that the Representatives to be sent by the Colleges should be sent as persons to assist the Commissioners and give them every information as regarded the Colleges, but not to act as Commissioners. He desired that a College should elect three persons to represent it in relation to the making of statutes for the College by the Commissioners, and that the Representatives so elected should be entitled to be present at the meetings held by the Commissioners for the making of such statutes, and also to be heard on all matters appertaining thereto, but not to vote as Commissioners. If they did so, there would be a different Commission dealing with each College, and different principles might be applied to different Colleges. This would be unfair to the Universities which had a right to expect uniformity of action in the Body which was about to deal with their revenues and management, and unfair to the Colleges as between College and College. Wherever a College had one of its members appointed by name a Commissioner in this Bill, that College would have, with the three Commissioners proposed to be added by the clause, four of its own members out of the total number of 10, and in the case of All Souls, which had two of its members so named, that College would actually be dealt with by a Commission of which half would be composed of its own members. The Colleges did not desire this, and if

a decision adverse to the opinion of a College was arrived at by a narrow majority of the Commission thus constituted, the weight of such decision would be much diminished, and complaints would be made. He could not do better than read an extract from a Petition presented to the House by Oriel College. It ran thus—

"That your Petitioners desire moreover to point out that the Commission, in dealing with the several Colleges, will not consist of the same persons, and that the introduction of the Representatives proposed to be given to each College is sufficient to make a sensible difference in the balance of opinion in the Commission, so that principles adopted by the Commissioners for one College might be varied in the case of other Colleges by means of the vote of their Representatives. Your Petitioners would therefore desire that the Representatives of the Colleges should be of the nature of assessors to the Commissioners, empowered to state the views and circumstances of the Colleges, but not to vote."

After all, it seemed to him (Mr. Knatchbull-Hugessen) that this was a question of confidence in the Commissioners, and upon that point he wished to say a word. On that side of the House, they had been taunted with their expression of confidence in the Commission which they had tried to alter. But although they had tried to strengthen the Commission by the addition of certain names, no one, that he was aware of, had expressed any want of confidence in the seven names proposed. He himself had objected to one name—that of Dr. Bellamy, but solely because he was the Head of a House, upon a Commission on which he thought Heads of Houses ought not to sit, and he had on the same ground abstained from voting for the Head of a Cambridge House, proposed by his noble Friend (the Marquess of Hartington). Personally, no one could be more fit than Dr. Bellamy; but how would he be situated under this clause? With three of his own Fellows by his side, he would only have to gain over one other Commissioner in order to have half the Commission on his side to resist any change distasteful to St. John's College. But suppose some question arose of making St. John's contribute to the Professoriate in the same proportion as Magdalen, these being two of the richest Colleges in Oxford. How would Magdalen feel if the proposal were defeated by the votes of these four Representatives of St. John? He moved his Amendment in no unfriendly spirit to the Bill, but because he foresaw bickerings and jealousies from the clause as it stood which he wished to avoid. The Bill ought to be made to commend itself to the public opinion of the University; upon this would depend its successful working, and he trusted that his right hon. Friend the Secretary for War would conciliate that public opinion, avoid differences and dissensions, and secure uniformity of action in the Commission, by adopting his Amendment. That would secure uniformity of principle and of action in the proceedings of the Commissioners, while it would also tend to remove that jealousy and suspicion of unfairness in reference to their dealing with different Colleges, which might otherwise arise.

Amendment proposed, in page 11, line 4, to leave out the words "to be commissioners."—(*Mr. Knatchbull-Hugessen.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. BALFOUR objected to the appointment of a large number of Commissioners, believing that the business would be better performed by a smaller body. He earnestly hoped the right hon. Gentleman (Mr. Hardy) would see his way to accepting the substance of the Amendment.

LORD EDMOND FITZMAURICE suggested that the clause should be omitted altogether, and that some words should be added to the 36th, giving each College the power of being heard by two delegates, or by counsel before the Commissioners.

MR. GREGORY thought that the Amendment should be considered on general grounds with reference to the justice of the case. The question was, how, and to what extent, the Representatives of the Colleges should be heard? and they could not do less than let the Colleges have a right of voting when their property was dealt with. Justice and expediency coincided with the Bill as it stood.

MR. BRISTOWE believed that if the representatives of the Colleges were allowed to vote, there would be a lack of uniformity in the decisions of the Commissioners. In every way he thought

the Amendment would be an improvement.

MR. GOSCHEN thought the clause was the greatest possible blot in the Bill, and out of character with it; it was injurious to the free action of the Commissioners, in whom the right hon. Gentleman opposite professed to have thorough confidence. It was also one of the most important. There should be a settled plan for the Commissioners to act upon, and care should be taken that in taxing the Colleges for the benefit of the Universities general principles might be followed, so that no Colleges should be unfairly burdened, whilst others were unduly relieved. No clause should be introduced that would deprive the Commissioners of power to resist proposals made by Colleges would have the effect of weakening the relations between them and the Universities. By the Bill, as it was submitted, the Government would put into the hands of the Colleges a power which many of the Colleges did not otherwise desire; and on that point he could speak for Oxford, with many of whose most eminent men he had been in communication; and he was enabled to say the feeling was that this clause, if retained, would prove most injurious.

MR. BERESFORD HOPE said, the clause really involved the representation by minorities; two of the Commissioners would often vote one way, and the other in opposition to them, so the sum total would be a majority of one amongst them. The cumulative vote had been overlooked.

LORD FREDERICK CAVENDISH said, that the voting would not be necessarily of a Party character. He hoped that the Amendment would be adopted. The special evil of the clause as it stood was that the Commission proposed to be constituted under it would prove a drag where reform was most needed, and would act as an impetus where, perhaps, a drag was required.

MR. OSBORNE MORGAN remarked that the clause, if adopted, would utterly destroy the unity of the scheme of reform, which he, at least, desired to see carried out. Every question which touched the Colleges would be submitted to a contantly fluctuating and varying body; and the result would be that there would be one system of University reform for Balliol, another for Trinity, and so on. Such large powers ought not to be given to a body of whom they knew nothing.

MR. BARING felt bound to enter an indignant protest against the imputations on the Colleges of Oxford contained in the speech of the hon. and learned Member who had just sat down. He had charged him with acting from selfish motives. [Mr. OSBORNE MORGAN: No, no!] Well, he might have misunderstood the hon. and learned Member for Denbighshire; but certainly the gist of what had been said by many others, in opposing the appointment of Commissioners by the Colleges, was that these Commissioners would be sure to act together in the interest of their College as contrasted with the interest of the University. The Colleges were actuated by no such spirit of selfishness, and this they had proved. Corpus, a comparatively poor College, had recently endowed four University Professorships; and Jesus, which was, perhaps, still poorer, had only last year contributed largely to the endowment of a Professorship of Celtic. There had been other cases of the same sort; but these were enough to show that the Colleges were not as niggardly as had been asserted. As to the supposed unanimity of the College Commissioners, he was convinced, from his personal knowledge of Oxford, that there was scarcely a College there in which the majority would be able to elect all three persons of their own way of thinking; and if the different composition of the Commission in each case should lead to different treatment of the several Colleges, he thought such a result far better than that they should all be reduced to a dead level of uniformity.

MR. GATHORNE HARDY said, it could not be doubted that strong arguments had been adduced on both sides of the question before the Committee, but hon. Members seemed to forget that for some time the Colleges would have the power to form schemes by means of which the work of the Commissioners would be assisted; and that the Commissioners would be in a position to arrange their proposals in a form which would affect both the Colleges and the Universities. He could not agree with the proposal that everything should be done upon precisely the same pattern. It was much more to be desired that the Commissioners should commence their work with unfettered hands, and should

be in a position to deal with each College in accordance with its means and its needs. His impression, derived from full consideration of the question, was that almost everything would be settled in a very different way from what some hon. Gentlemen seemed to think, and that there would not be that disputation and collision between the Commissioners and the Colleges which certain hon. Members apprehended. Twelve months would elapse before the Commissioners would have to sit upon the statutes, and during that time they would have ample opportunity of becoming acquainted with the mind of the Colleges, and of then acting upon the information which they had received.

Question put.

The Committee *divided:* — Ayes 92; Noes 72: Majority 20. — (Div. List, No. 135.)

MR. KNATCHBULL-HUGESSEN said, that so far as the cumulative vote was concerned, he had not forgotten it, as the hon. Member for Cambridge University (Mr. Beresford Hope) supposed, but thought it hardly worth notice, since he felt assured that there would be no contests and divisions in Colleges; but that, as a matter of fact, each College would, by an amicable arrangement, elect its Representatives, who would probably vote together. The right hon. Gentleman opposite (Mr. Hardy) spoke of them throughout as "assessors," showing what was the impression on his mind—namely, that their correct position was that of persons who should assist and give information to the Commissioners, but not vote as Commissioners themselves. The right hon. Gentleman had said that the chief part of the business would be done by the Colleges themselves in the "year of grace." He (Mr. Knatchbull-Hugessen) quite agreed, but he said that if arrangements were made by the Colleges during that year, it would be far better that those arrangements should be reviewed by a body of seven independent Commissioners, rather than by a body of whom three, four, or five, had been the very parties who had made those arrangements. Parliament was about to confer great powers upon the Commissioners, and it was something in the nature of a censure upon them to say that they could not be trusted to deal with the revenues of any one College without having three members of that College added to their number, in order to protect the College. If they had been ruthless and revolutionary Commissioners, who were likely to attack College property and deal rashly and hastily with these matters, he could have understood the necessity of adding to them in the manner proposed; but having been carefully selected by the Government and approved by the House, he could see no danger. The Secretary of State for War said that he was opposed to a dull, dead uniformity; but his right hon. Friend (Mr. Goschen) advocated uniformity in principle, not in detail, and this was most desirable.

MR. MOWBRAY moved, in page 11, line 15, after "fit," to insert—

"In the University of Oxford the Principal of a Hall shall be a Commissioner to represent the Hall in relation to the making by the Commissioners of statutes affecting the Hall."

Amendment *agreed to.*

On Question, "That the Clause, as amended, stand part of the Bill?"

MR. BALFOUR expressed a hope that the right hon. Gentleman would see his way to introducing some qualification which should limit the clause.

LORD EDMOND FITZMAURICE said, he should enter a formal protest against it.

MR. GOSCHEN wished to know whether the right hon. Gentleman would not consider the question of a general scheme being laid down by the Commissioners before the Colleges sent in their own schemes, and also whether he would not consent to reduce the number of delegates from each College from three to two?

SIR WILLIAM HARCOURT said, he should feel it his duty to vote against the clause, unless some alteration in this direction was promised by the Report.

MR. GATHORNE HARDY said, he would further consider the point to which reference had been made.

Question put.

The Committee *divided:*—Ayes 103; Noes 77: Majority 26. — (Div. List, No. 136.)

Clause, as amended, *agreed to.*

Clause 36 (Notice to College of meeting), *agreed to.*

Clause 37 (Validity of acts as regards Colleges), *agreed to.*

Schools.

Clause 38 (Notice to Governing Body of school, &c.), *agreed to.*

Clause 39 (Provision for case of contingent right), *agreed to.*

Clause 40 (Governing Body a Corporation), *agreed to.*

Clause 41 (Statutes for schools dissented from), *agreed to.*

Clause 42 (Provision respecting right of preference when retained by school), *agreed to.*

Universities Committee of Privy Council.

Clause 43 (Constitution of University Committee of Privy Council).

LORD EDMOND FITZMAURICE said, that as the duties of the Committee would be of a judicial character, he proposed, with every respect to the Archbishop of Canterbury, to substitute the name of the Master of the Rolls for that of the Archbishop.

Amendment *negatived.*

Clause *agreed to.*

Confirmation or Disallowance of Statutes.

Clause 44 (Submission of statutes to Queen in Council), *agreed to.*

Clause 45 (Petition against statute), *agreed to.*

Clause 46 (Reference to Committee).

MR. GATHORNE HARDY moved, in page 14, at end of clause, to add, as new paragraphs—

"It shall be lawful to the Queen in Council to make, from time to time, rules of procedure and practice for regulating proceedings on such petitions.

"The costs of all parties of and incident to such proceedings shall be in the discretion of the Universities Committee; and the orders of the Committee respecting costs shall be enforceable as if they were orders of a division of the High Court of Justice."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 47 (Disallowance by Order in Council), *agreed to.*

Clause 48 (Statutes not disallowed to be laid before Houses of Parliament), *agreed to.*

Clause 49 (Disallowance in Parliament), *agreed to.*

Clause 50 (Evidence of disallowance or not in Parliament), *agreed to.*

Effect of Statutes.

Clause 51 (Statutes to be binding and effectual), *agreed to.*

Alteration of Statutes.

Clause 52 (Power for University to alter statutes, &c.)

MR. GATHORNE HARDY moved, in page 15, at end of clause, to add, as a new paragraph—

"But where and as far as a statute made by the Commissioners for the University affects a College, the same shall not be subject to alteration under this section, except with the consent of the College."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 53 (Power for University to alter statutes, &c.), *agreed to.*

Clause 54 (Confirmation or disallowance of altering statutes), *agreed to.*

Tests.

Clause 55 (Saving for Tests Act), *agreed to.*

Clause 56 (Operation of Tests Act as regards theological offices), *postponed.*

Reference of other Statutes to Universities Committees.

Clause 57 (Statutes awaiting submission to Queen in Council, or made before cesser of powers of Commissioners).

MR. MOWBRAY moved, in page 16, line 8, after "Council," to insert—

"and (3), every statute, ordinance, and regulation made by or in relation to a College under any former Act or ordinance since the first day of January one thousand eight hundred and seventy-seven, and before the passing of this Act."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

On the Motion of Mr. GATHORNE HARDY, a new clause was read a second time and *added* to the Bill, providing—

"That nothing in the Act should authorise the Commissioners to endow the whole or any

part of the offices of an ecclesiastical character by means of any portion of the revenues of a University or College not forming, when the statute comes into operation, an endowment or part of an endowment of an office of that kind."

MR. BALFOUR moved, after Clause 11, to insert the following clause:—

(New statutes.)

"In order to assist the University or any college, or the governing body of any college, in making statutes under the next preceding section, it shall be the duty of the commissioners, any time before the end of the year one thousand eight hundred and seventy-eight, and after communication with the commissioners of the other University, to lay before the University and the colleges, or the governing bodies of the colleges, a statement of the principles on which they intend to act with regard to the following points:—

(1.) The amount and nature of the contribution to be made by the colleges to the University;

(2.) The number, tenure, and advantages of fellowships to be held in any college."

MR. GATHORNE HARDY said, he could not consent to the clause proposed by the hon. Member, which would prove an embarrassment for the Commissioners of each University.

MR. GOSCHEN said, that the right hon. Gentleman had promised to secure a general scheme as to contributions.

MR. GATHORNE HARDY said, he had only promised to take the matter into full consideration.

MR. WALPOLE said, he could not accept the proposal of his hon. Friend, because the clause which he had moved could not be worked in connection with the other clauses in the Bill, and would prevent the Colleges from originating measures which they would otherwise have an opportunity of suggesting to the Commissioners.

MR. J. G. TALBOT objected to the clause, on the ground that the subject was one which it was best to leave to the Commissioners.

MR. DODSON thought it was a mistake to suppose that this was a matter which could be left to the Commissioners. It was just one of those things they would hardly consider themselves entitled to interfere with unless they had some guidance from Parliament.

SIR WILLIAM HARCOURT said, that if Colleges and Universities were to make separate proposals, reforms would never be carried out. The only plan on which they could be effected with consistency was by the Commissioners laying down general principles.

MR. FAWCETT supported the clause.

MR. GATHORNE HARDY promised to give the matter his best consideration during the Recess, and if, as he hoped, he found himself able to do what was desired in a shorter form and with less particularity than the hon. Member had put in his clause he would do so.

MR. BALFOUR withdrew his clause, and intimated that he would propose it at a future time.

MR. BALFOUR moved, after Clause 19, to insert the following clause:—

(Degrees to Women.)

"The Commissioners shall, if they think fit, give power to the University to confer degrees on women under such regulations as the University shall determine."

He observed that the function of women as educators was increasing throughout the country, and he considered it a matter of great importance that the privileges given to men should be extended to women. He thought such a proposition would be advantageous to the interests of the public.

MR. BERESFORD HOPE objected to hamper the Universities with the bewildering and embarrassing obligation of granting degrees to women; a degree meant honours, and honours ultimately involved a share in the administration of the University. Besides, what would the degree be? He concluded "Spinster of Arts." The Committee had already disposed of the question as brought forward by the hon. Member for Liskeard by a majority of 200.

MR. COURTNEY moved to report Progress, as it was almost impossible at that time of night to discuss this important question properly.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Courtney.*)

SIR WILLIAM HARCOURT said, it would be better first to settle this clause. At the next Sitting of the House there would be important questions to dispose of, though not of a feminine character.

MR. CHADWICK sincerely hoped that unless the Government assented to the clause, the Motion for the Adjournment of the Debate would be pressed.

MR. GATHORNE HARDY hoped that if those who had borne the burden and heat of the day were willing to go on with the discussion of the clause, they would be allowed to do so. With regard to the question which the hon. Gentleman (Mr. Balfour) had raised, it was one that ought to be discussed on its own merits in a separate and distinct Bill, and not at the fag-end of a Bill dealing with Universities for men. It was too important a question to be delegated to Royal Commissions to decide.

MR. PARNELL supported the Motion to report Progress, on the ground that three-fourths of the Members of the House had gone home for their holidays and the clause under consideration was one which was of very grave importance.

Question put.

The Committee *divided:* — Ayes 22; Noes 149: Majority 127.—(Div. List, No. 137.)

MR. JAMES moved that the Chairman do leave the Chair.

MR. GATHORNE HARDY thought some respect should be paid to the majority. This question had already been pronounced upon by the House, but he had too much respect for the Members of the House to keep them walking through the Lobbies of the House; and if the Motion were persisted in he should feel it advisable to yield.

LORD EDMOND FITZMAURICE hoped his hon. Friend would not press his Motion. With regard to the discussion about women, he thought there had been a great deal too much of it both in this House and out-of-doors, and he hoped the House would not hear anything more on the subject. It was disgusting to hear so much of it.

MR. HOPWOOD regretted to hear the noble Lord speak so disparagingly of the views and aims of women, and assume to tell them, who advocated those views in that House, when was the fitting occasion on which to promote them, and when it was out of place. The subject was one upon which agitation would be continued until success was arrived at. He should support the Motion of the hon. Member.

MR. GOSCHEN expressed his great desire that the Committee on the Bill might, if possible, be concluded that Sitting.

MR. GATHORNE HARDY said, that though he, too, was anxious to finish the Bill that night, he should not resist the wish of the Committee to report Progress, if that were its desire.

Motion, by leave, *withdrawn.*

MR. PARNELL moved that the Chairman should report Progress.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Parnell.*)

The Committee *divided:* — Ayes 16; Noes 113: Majority 97.—(Div. List, No. 138.)

MR. HOPWOOD moved that the Chairman leave the Chair.

LORD FREDERICK CAVENDISH recommended the hon. Member for Hertford (Mr. Balfour) to withdraw the clause which was under discussion.

MR. BALFOUR said, he should be most happy to withdraw it, if he could do so.

THE CHAIRMAN said, it could not be withdrawn until the Motion before the Committee—that the Chairman leave the Chair—had been disposed of.

Motion, by leave, *withdrawn.*

Clause, by leave, *withdrawn.*

Committee report Progress; to sit again upon *Monday* 4th June.

CUSTOMS, INLAND REVENUE, AND SAVINGS BANKS BILL.—[BILL 143.]

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

MR. MONK moved, after Clause 12, to insert the following clause:—

(Abolition of Duties on appointments to benefices.)

"After the passing of this Act the Duties charged under the Act thirty-three and thirty-four Victoria, chapter ninety-seven, upon appointment, whether by way of donation, presentation, or nomination, and admission, collation, or institution to, or licence to hold any benefice specified in Schedule B to this Act shall cease to be payable."

New Clause—(*Mr. Monk,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

SIR CHARLES W. DILKE moved to report Progress, as he did not think that an important Money Bill should be discussed at ten minutes past 1 o'clock in the morning.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again." — (*Sir Charles W. Dilke.*)

The Committee *divided:* — Ayes 5; Noes 81: Majority 76.—(Div. List, No. 139.)

MR. BIGGAR moved that the Chairman leave the Chair.

SIR JOSEPH M'KENNA trusted that after the decisive opinion of the House just expressed the Motion would be withdrawn.

THE CHANCELLOR OF THE EXCHEQUER trusted the hon. Member for Cavan (Mr. Biggar) would not press his Amendment, and that the Committee might be allowed to proceed with the Business.

Amendment, by leave, *withdrawn.*

Original Question put, "That the Clause be read a second time."

The Committee *divided:* — Ayes 67; Noes 18: Majority 49. — (Div. List, No. 140.)

Bill *reported;* as amended, to be considered upon *Thursday* 31st May.

COLONIAL FORTIFICATIONS BILL.

On Motion of Mr. Secretary HARDY, Bill to make better provision respecting Fortifications, works, buildings, and land situate in a Colony, and held for the defence of the Colony, *ordered* to be brought in by Mr. Secretary HARDY, Lord EUSTACE CECIL, and Mr. STANLEY.

Bill *presented*, and read the first time. [Bill 174.]

LOCAL GOVERNMENT PROVISIONAL ORDER (SEWAGE) BILL.

On Motion of Mr. WILLIAM HENRY SMITH, Bill to confirm a Provisional Order under "The Local Government Act, 1858," and "The Sewage Utilization Act, 1865," relating to Dungannon, *ordered* to be brought in by Mr. WILLIAM HENRY SMITH and Sir MICHAEL HICKS-BEACH.

Bill *presented*, and read the first time. [Bill 175.]

BLIND AND DEAF MUTE CHILDREN (EDUCATION) BILL.

On Motion of Mr. WHEELHOUSE, Bill for the Education of Blind and Deaf Mute Children, *ordered* to be brought in by Mr. WHEELHOUSE and Mr. ISAAC.

Bill *presented*, and read the first time. [Bill 176.]

House adjourned at a quarter after One o'clock, till Thursday, 31st May.

HOUSE OF COMMONS,

Thursday, 31st May, 1877.

MINUTES.]—SELECT COMMITTEE—Irish Land Act (1870), *nominated.*

SUPPLY — *considered in Committee* — CIVIL SERVICE ESTIMATES—Class II.

PUBLIC BILLS — *Resolution in Committee* — *Ordered* — *First Reading*—Wine and Beerhouse Act (1869) Amendment * [177].

Second Reading—Canal Boats * [162]; Colonial Fortifications * [174]; General Police and Improvement (Scotland) Act (1862) Amendment * [164].

Committee — *Report* — Public Works Loans [145]; Local Government (Gas) Provisional Orders (Penrith, &c.) * [156]; Local Government Provisional Orders (Altrincham, &c, * [157].

Considered as amended — Customs, Inland Revenue, and Savings Banks [142].

Third Reading — (£5,900,000) Consolidated Fund *, and *passed.*

Withdrawn—Vaccination Law (Penalties) * [97].

ORDERS OF THE DAY.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made and Question proposed, "That Mr. Speaker do now leave the Chair."

THE EASTERN QUESTION — THE DESPATCHES.

MOTION FOR AN ADDRESS.

MR. SANDFORD rose to call attention to the omission from the Blue Book No. 2, on Turkey, of all mention of the conversation between Lord Salisbury and the Duc Decazes at Paris, and between Lord Salisbury and Prince Bismarck at Berlin; and also to call attention to the proceedings of the Conference at Constantinople; and to move for the production of Copies of any Minute of the aforesaid conversations at Paris and

Berlin. The hon. Gentleman observed that in the present state of the Eastern Question they could hardly overrate the importance of any information that they could obtain upon this subject. Everybody must feel that Prince Bismarck at Berlin held the key of the position. It might be of national interest or national importance that these conversations should be suppressed, and if it were so, all he could say was that it was most unfortunate. The suppression of these conversations had given rise to alarming rumours. It was generally believed that Prince Bismarck had confided to Lord Salisbury that Germany was about to attack France. He (Mr. Sandford) believed that no such communication was made. He did not believe it was the wish of Prince Bismarck to attack France, whatever might be the wish of the military party in Germany. And he was sure that Prince Bismarck was much too prudent a statesman to have stated to Lord Salisbury that he wished to attack France. The suppression of these conversations had given rise to all the more alarm, because conversations at Vienna and at Rome had been published. They had learned from Rome that they were unwilling to give any port on the Adriatic; and they had learned from Vienna that they objected to the Russian occupation of the Christian Provinces of Turkey; and the impression, therefore, left on the public mind was that the conversations with Prince Bismarck must have been of a most mysterious and alarming character. The special Envoy of England had been instructed by the Foreign Secretary to make the extraordinary proposition that Bulgaria should be occupied by a French Force. If the Foreign Secretary had only looked at the map he would have seen that north of the Danube there was a country called Roumania, and Roumania was ruled over by a Prince of the House of Hohenzollern; and he might have further ascertained that the one political feeling and instinct of the people of Roumania was in favour of France. It was not, therefore, surprising that a proposal to place a French Force on the south side of the Danube was scouted equally at Paris and Berlin. He had asked Her Majesty's Government on a previous occasion, whether any step had been taken for the neutralization of Roumania, and the answer was that there was no Treaty stipulation for the neutralization of Roumania. That was, no doubt, correct; but one of the Articles of the Treaty of Paris contained a provision that no armed intervention could take place without previous agreement between the Great Powers. The object of creating the State of Roumania was to place a neutral State between Russia and Turkey, and the first duty of diplomacy should have been to neutralize the territory of Roumania. They now heard that Roumania had declared her independence, and he should like to know what were the views of Her Majesty's Government and the other guaranteeing Powers with regard to this declaration of independence. We found that at the very moment when the Russian Ambassador was urging this country to sign a Protocol in the interests of peace, Russia was signing a Convention with Roumania with reference to the carrying on of war. He should like to know whether Turkey was to be regarded as an independent or as a dependent and protected Power? Not only among orators on the platform, but among Members of Her Majesty's Government, he found very conflicting views on that point. In all the earlier despatches of the Foreign Secretary up to the time when he learnt what the feeling of his employers was, they found him urging that Turkey was an independent Power, and impressing on other Powers the necessity of maintaining its independence. But after he had received certain deputations, Lord Derby took a different tone. On the 21st of September he wrote a despatch requiring Turkey, in the name of the Queen, to punish the perpetrators of the massacres in Bulgaria. If the victims of those massacres had been English subjects, Lord Derby might have had some right, in the name of the Queen, to demand the punishment of the offenders, for it was a well-known principle of International Law that one country had a right to demand from another an equal administration of its law as regarded the subjects of the complaining Power. But he had yet to learn if Turkey was to be considered as an independent country, on what grounds we could call on her to inflict punishment for acts committed by one portion of her subjects upon another. The Chancellor of the Exchequer, speaking in Lancashire, had said they were bound to treat Turkey as

an independent State, such as Italy or Spain; but in a subsequent speech in that House, the right hon. Gentleman declared that we stood in a different position towards the Christian Provinces of Turkey from what we did to other countries, and that we ought to use our best endeavours to obtain good government for those Provinces. He should like to know from his right hon. Friend on what grounds he rested the right of this country to interfere. Was it on the Treaty of Paris? The 9th Article of that Treaty—the only Article referring to that point—stated that the Sultan gave his Christian subjects their privileges of his own free will, and it was expressly laid down that no foreign Power was to have a right of interference in the matter. The Secretary of State for War lately told them that the Treaty of Paris was still in existence, and that they were bound by it. A Treaty in diplomacy, however, was not like an Act of Parliament in Westminster Hall. It was rather like a lady in society, who, when her character had been pretty generally impugned, was not held entitled to the same amount of respect as she otherwise would enjoy. The Foreign Secretary himself said that Treaties were not eternal, and could only be maintained as long as circumstances permitted. But although we had no special right to interfere on behalf of the Christian subjects of the Porte, we nevertheless had the common right to interfere in the government of Turkey which every nation had when its neighbours endangered the general peace and tranquillity of Europe. He believed that the Government of Turkey was intolerable alike for its Mahomedan and its Christian subjects, and the great mistake made in the Autumn agitation was that too exclusive stress was laid on the grievances of the Christians. He thought it would have been far better had the Great Powers commenced where they ended, and when first the insurrection broke out between Bosnia and Herzegovina to have told Turkey that her Government was intolerable, and that if she did not reform it within a certain space of time united Europe would be called on to take some steps to put an end to the misgovernment of the Provinces. That would have been far better than entering upon a Conference, the proceedings of which it was obvious could only end in a fiasco. Nothing could have been more absurd than for ten or a dozen Foreign Ambassadors to have gathered round a table to draw up a Reform Bill for a country whose language they could not speak and whose customs they did not understand? It would have been the interest and policy of England, if she were to interfere with the Government of Turkey, to urge on Austria to come forward as a great Slav Power. No doubt, there would be great difficulties in the way in reference to the Magyars; but the interests of 35,000,000 of people ought not to be sacrificed to Magyar jealousy. If Austria had known that she could have counted upon England, he believed she would have decided to take some important step. If we did not adopt that course, what other policy had we to pursue but a policy of waiting? We had no right to coerce Turkey without first warning her, and up to the present moment the only warning she had received from us was that she was not to be coerced. We could not coerce Turkey as the ally of Russia, but as a member of the European concert. If we joined Russia, the only effect would be to destroy that Turkish Fleet which was the only effectual obstacle to the advance of Russia on Constantinople. Heaven forbid, however, that England should commit the blunder of a second Navarino! In 1855 he was one of the few Members of that House who looked unfavourably on the Crimean War, believing it was undertaken for French rather than for English interests, and he had then thought it of comparatively small importance whether Constantinople was occupied by Russians or by Turks. But things had now changed. In 1855 our communications with India were carried on by the Cape of Good Hope; now they were carried on through the Suez Canal, and England could not look with the same indifference as formerly on the occupation of Constantinople by Russia. Some wished this country to adopt a policy of action and to occupy Crete or Gallipoli. But were we to occupy them as neutrals, or as friends of the Turks? If as friends of the Turks, it would be a declaration of war against Russia. If as neutrals, the Turks might object, and it would be a declaration of war against the Porte. There were difficulties and dangers in the present policy of isolation. Within

a very short space of time, he believed, the Turks would be conquered both in Europe and in Asia; and that they would then be too happy to come to terms with Russia alone; and if this country took no part in the struggle, she would have no right to take part in the arrangements which would follow on its conclusion. He believed the Czar had no intention of occupying Constantinople; but if the war went on, there might be considerable difficulty in restraining a victorious Army. He believed in the moderation of the Czar, but not in that of a victorious Russian Army. Russia would probably expect the restoration of the territory in Bessarabia taken from her by the Treaty of Paris; perhaps, also, some part of Asia Minor. She might likewise possibly demand the passage of her Fleet through the Dardanelles, and that the Bulgarians should be governed by independent Rulers. Herzegovina and Bosnia might be added to Austria, and some small addition of territory given to Montenegro. The Sultan would retain the residue of his dominions, but only as a satrap of Russia. He believed in a crisis like the present, the responsibility for action should rest on the Executive Government of the country; but he would venture to ask Her Majesty's Ministers for an explicit declaration of their policy, and whether there was any truth in what he had read in the newspapers — namely, that Russia had proposed to this country a localization of the war, and that that proposition had not been accepted? He would remind the Government that a policy of frankness always commanded the respect of of the majority of the English nation, and that a policy of concealment was altogether opposed to their sympathies and generous instincts.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying Her Majesty that She will be graciously pleased to give directions that there be laid before this House, Copies of any Minutes of the conversation between Lord Salisbury and the Duc Decazes at Paris, and between Lord Salisbury and Prince Bismarck at Berlin,"—(*Mr. Sandford,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BOURKE thought the House must be surprised, as certainly he was himself, at the speech which had just been delivered by his hon. Friend. His hon. Friend had invited a discussion upon certain points connected with foreign politics which were of a difficult and delicate character; and he believed the House would agree with him in thinking that it would be inexpedient for him to follow the hon. Member through the various topics which he had raised. So far as the neutrality of Roumania was concerned, he (Mr. Bourke) had already described to the House the position in which this country stood, and therefore it was unnecessary for him to dwell upon that topic. There could be no doubt that the neutrality of Roumania and the provisions of the Treaty of Paris had been infringed by Russia. With regard to interference in the internal affairs of Turkey, that was a subject which had been fully discussed in the House; but there was one point in connection with it which his hon. Friend appeared to have misunderstood. His hon. Friend had said that the Treaty of Paris absolutely precluded this, as well as any other country, from interfering with the internal affairs of the Ottoman Empire. That, however, was an opinion which he did not think any person fully conversant with the facts could hold to be sound. Under the Treaty of Paris, which had been called that evening the "common law right of interference" remained exactly where it was before, and one great proof of that was, that in 1859 the Earl of Malmesbury addressed to the Porte one of the strongest despatches ever written, calling attention to the condition of the Christian races under Ottoman rule, and stating unequivocally that this country would "insist"—that was the word used—upon the promises of the Sultan being carried out. Therefore, the right of interference not only existed theoretically since the Treaty of Paris, but had been acted upon by this country and acknowledged by the Porte. His hon. Friend who had raised this question at the present time had also said that the Conference at Constantinople was objectionable, because it would have been better to have told Turkey that she must reform herself, and that if she did not do so in a short time the European Powers would interfere; but it appeared to him that, for reasons

which had been frequently urged in the discussion of this subject, it would have been extremely unwise for Her Majesty's Government to have adopted that course. His hon. Friend had likewise said that the difficulties of a policy of inaction were almost equal to those of a policy of action, and no doubt that observation was perfectly true; but that was precisely one of the reasons for refraining from saying what would be the policy of the Government in the future. That policy, as everybody must be aware, considering the present grave aspect of affairs, must be guided entirely by circumstances. Her Majesty's Government had no reason to suppose that either Russia or any other Power imagined, at this moment, that when the terms of peace came to be discussed they could be any other than Europe generally could accept. In other words, when those terms came to be considered, they would constitute a question for the Powers in general. The conversations between Lord Salisbury and Prince Bismarck at Berlin, and Lord Salisbury and the Duc Decazes at Paris, to which his hon. Friend had referred, were strictly confidential, and Her Majesty's Government, which was guided in the matter solely by a regard for the public good, exercised its discretion in not publishing them. Had those conversations been, so to speak, of a public character, Prince Bismarck and the Duc Decazes probably would not have communicated their views to our Ambassador so freely as they had done. With regard to the publication of despatches generally, he thought Her Majesty's Government had certainly not erred on the side of withholding information. The present case, however, was exceptional, inasmuch as the communications made by Prince Bismarck and the Duc Decazes to Lord Salisbury were intended for the British Government alone, and not for any other. In those circumstances, he hoped the House would not think him disrespectful, if he declined to give any further information on the subject. His hon. Friend had asked whether Russia had made a communication to Her Majesty's Government as to the localization of the war? In reply to that question, all he could say was that he did not know of any communication from the Russian Government of the nature which had been described.

LORD ELCHO said, he had no wish to enter upon a general discussion of the Eastern Question; but he thought his hon. Friend (Mr. Sandford) had done good service in eliciting the statement from the Under Secretary for Foreign Affairs that, in the event of peace being made, that peace must be a matter for European arrangement.

MR. BOURKE said, that what he had desired to convey was this—that when the question of peace came to be discussed, it no doubt would be one which would concern Europe; and the European Powers would consider that they had a right to share in the deliberations respecting the future.

LORD ELCHO said, there was, however, a question of more vital importance than that to which his hon. Friend the Member for Maldon had drawn attention. It would be in the recollection of the House that in the very able speech which they had heard from the Home Secretary before the Recess, there were certain limits laid down within which, it was said, English interests would be deemed to be at stake. The arguments of the right hon. Gentleman seemed to meet with general approval in the House on both sides, for the noble Lord the Member for the Radnor Boroughs, who had the distinguished honour of being Leader of the Opposition, when he spoke subsequently in the debate, said merely that he would not bind himself to the limit which had been laid down by the Home Secretary. Now, it was an important question whether we were in a position at the present moment to defend those interests. He did not believe that the most extreme humanitarian among us—he did not believe that ten men even of those who were at that moment assembled in Bingley Hall, where a right hon. Gentleman who had formerly retired from public life was now addressing 30,000 people, and inaugurating, he would not say the music and harmony, but probably the discord of the Liberal future—would deny that circumstances might arise in which it would be absolutely necessary for England, as far as she had the power, to step in and defend her interests in the East of Europe. The question was—Were we in a position to do that, and were the Government taking the steps necessary to defend English interests, should they in any way be assailed in the course of the present unhappy war?

Efficiency and promptness were one and the same, and any interference on our part, in order to be efficient, must be prompt. Now, efficiency meant men and horses; it meant *matériel*, it meant transport, it meant organization. He would assume that we had the men; but our organization was a paper organization. When the Mobilization Scheme was laid on the Table of the House last year, it was of value mainly as showing not that we had our *corps d'armée* ready, but how they should be disposed of when ready, and as showing, in fact, the poverty of the land in that respect. It was a skeleton scheme, which required to be filled up. Now, to fill up such a skeleton scheme, not only were the elements he had mentioned required, but the important element of money was also necessary. Without asking for extra money, were the Government prepared to fill up the skeleton with flesh and blood? Now, what was the present state of our supplies? He held in his hand a War Office Circular which gave all the requirements of a *corps d'armée* numbering 35,000 men; and he believed it would be found that the state of our supplies was very far from what was there shown to be necessary. He believed that the stores we had were principally in one great arsenal, so that it would take a long time to get them out—that we were deficient in transport carts of all kinds, and especially in ambulance waggons of the latest pattern—that ammunition carts were wanting for both Infantry and Artillery—and he would ask whether it was true that Artillery battery waggons had been taken from the batteries and used for the supply of ammunition? Then, 11,000 horses were required for a *corps d'armée* of 35,000, but he believed that nothing at all approaching the number required was available at the present time. As regarded small arm ammunition, he was told we had not enough even for home consumption in time of peace. As regarded powder, we made something like 500 barrels a-year less than was annually expended, and although we had a supply of 300,000 barrels, yet it was scattered all over the world, and, therefore, to a large extent would not be available.

THE O'DONOGHUE, rising to Order, asked the Speaker whether the matters which the noble Lord was discussing were within the scope of the Motion?

MR. SPEAKER said, the Main Question before the House was as to going into Committee of Supply, to which an Amendment had been moved for Papers. That being the state of the case, undoubtedly the observations of the noble Lord were not relevant to the Amendment before the House.

LORD ELCHO asked, whether any remarks on the general question as to the state of preparation we should be in if called upon to defend English interests would be out of place at that moment, or whether he ought to wait till the Question for going into Committee of Supply was again put?

MR. SPEAKER observed that the more convenient course was for the House to deal, in the first instance, with the Amendment actually before it.

Amendment, by leave, *withdrawn*.

POST OFFICE—TELEGRAPHIC COMMUNICATION WITH LUNDY ISLAND.

RESOLUTION.

MR. DILLWYN rose to call attention to the want of telegraph communication between Lundy Island and the mainland, and to move—

"That, in the opinion of this House, it is of national importance that such a communication should be established."

He maintained that this was not a question of local, but of national interest, and urged that Government should undertake the work to which his Motion pointed without delay. Nearly all the Chambers of Commerce throughout the country were in favour of that work being proceeded with.

MR. D. JENKINS seconded the Motion, submitting that the question of establishing communication between Lundy Island and the mainland was one not of mere local interest affecting the Bristol Channel, but of national importance affecting the shipping and commercial interests of the country generally. The Island was situated on a dangerous part of the coast and he could quite understand the telegraph being in winter the means of saving life and valuable property. During the worst part of the winter the mainland was totally obscured from the Island.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words

"in the opinion of this House, it is of national importance that a telegraphic communication should be established between Lundy Island and the mainland,"—(*Mr. Dillwyn,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. STEVENSON appealed to the Government in the name of the shipping interest to agree to the Motion. It was not a matter of importance only to the Bristol Channel, but it was of as much concern to Liverpool and the other ports on the West Coast, and even those on the North-east. This was entirely a national question, and he hoped the Government would so regard it.

MR. WHITWELL, speaking on behalf of the Chambers of Commerce, joined in the appeal to the Government to advance the £5,000 or so, which was necessary to make the connection, and said that he knew there was a most anxious desire in Newcastle and the ports in the North that ships should be able on their arrival in the West to communicate with Lundy Island, and then to await orders.

LORD JOHN MANNERS said, he had expressed it to be his opinion, when a deputation from the Chambers of Commerce waited on him in reference to the subject, that they had assigned very powerful reasons in favour of establishing communication between Lundy Island and the mainland. He was still, he might add, in correspondence with the Chambers of Commerce on the matter, inasmuch as he had not yet received from them a reply to his last proposal in regard to it. He was, therefore, unable to say that the negotiations which had been in progress had finally broken down. If the Chambers of Commerce were in a position to lay down the wire, and to give a guarantee for its maintenance for the first few years, he had very little doubt that the communication could be made. Till he had a final answer to that proposal he could do no more than say he was fully alive to the importance of the subject. He felt, however, as the head of the Postal Telegraphic Department, that he was charged with the duty of seeing that no extension should take place which had not a fair chance of becoming remunerative, and he did not believe that this extension promised to be remunerative; on the contrary, he thought it would involve a large annual expenditure. If, however, when the negotiations with the Chambers of Commerce came to a close, it appeared to them that the matter was of such very great practical importance as to justify them in making an application to some other Department of the Government more especially charged with the duty of prosecuting works of public advantage than the Post Office, he should throw no obstacle in the way of an appeal of that kind. He hoped, at the same time, the House would not press him to undertake a telegraphic extension which was not likely to be remunerative, owing to the extreme probability of the breakage of the cable.

LORD ESLINGTON said, those who had charge of the commercial interests of this country would derive a certain amount of negative satisfaction from the answer of his noble Friend. He thought he saw some hesitation in the mind of the noble Lord, which gave him hope for the future. He (Lord Eslington) maintained that the question was really not a local one, inasmuch as it related to a place on a dangerous part of our coast, and the only place where the ships of all nations engaged in trade were likely to find a refuge. If on inquiry it could be shown, as he believed it could, that the establishment of telegraphic communication with the Island would not be unremunerative, he was of opinion that the Government ought to look favourably upon the proposal of the hon. Member.

MR. HUSSEY VIVIAN said, the Postmaster General need not have feared that similar applications would be made, for he was not aware of any place similarly situated to Lundy Island. There was nothing between it and the shores of America, and it stood out some distance from the mainland. The noble Lord must not take too restricted a view of his responsibilities in this matter. He (Mr. Vivian) regarded the question as one of national rather than of local importance. The telegraphs being now in the hands of the Government, the commercial community had a right to look to the Government to take this matter up; and the expenses of such an undertaking ought not to be thrown on the Chambers of Commerce, which had not the requisite machinery for carrying it out.

SIR HENRY HAVELOCK said, the noble Lord's reply would be received with considerable disappointment by the commercial communities all over the Kingdom. The noble Lord did not seem to be sufficiently impressed with the fact that this was by no means a local question, but one concerning the commerce of the whole country, and one in which the ports in the North and North-east were equally interested with those on the Bristol Channel. He (Sir Henry Havelock) thought that if the question were left to the decision of the Chambers of Commerce there would be great delay before it could be finally disposed of. He hoped that the Department over which the noble Lord so ably presided would take the matter in hand.

Question put.

The House *divided*:—Ayes 107; Noes 75: Majority 32.—(Div. List, No. 141.)

MILITARY AND NAVAL PREPARATIONS.—OBSERVATIONS.

LORD ELCHO said, that when he was called to Order a few minutes ago he was under the impression that the necessity of England being prepared, if necessity arose, to defend her interests in the Eastern Question, was relevant to the question before the House; and he was at that time endeavouring to show that, as far as he had been able to ascertain, many things were required before this country would be in a position promptly and efficiently to give effect to the policy which had been announced by the Home Secretary, and which had been indorsed by both sides of the House and by public opinion out-of-doors, with reference to the course this country should take. He was endeavouring to show that in order to act promptly and efficiently, we must have something more than a paper organization or a skeleton organization, and when he was stopped he was stating wherein he believed our organization was deficient. If that was not so, no one would be more glad than he to receive an assurance to that effect from the Secretary of State for War. The deficiency, he ventured to point out, consisted in the want of transport of *matériel*, in the proper distribution of stores, in deficient ammunition, in deficient gunpowder of a proper quality, and in accoutrements, clothing, boots, &c. There was nothing the efficiency of an army, and especially of Infantry, depended upon so much as good boots, and within the last few days he had seen boots recently issued to the Guards, the soles of which had been worn off in less than a month, and which were being returned with a remonstrance to the Clothing Department. In all these matters time meant money, promptness meant efficiency, and they could not have promptness and efficiency without money. But up to the present, as far as they knew, ostensibly at any rate, there had been no demand for money on the part of the Government; and, therefore, if these things required money and none had been asked for, it was not unreasonable to assume that we were not in that prompt and efficient state in which it was most desirable that we should be, if we ever were called upon—which God forbid—to take part in this war in the East. This was his reason for bringing this matter before the House. In doing so he would guard himself against the supposition that, in urging the House and the Government to make timely preparation, he wished to urge the country to take part in this war. All he wished was that, if we were called upon to do so, we should do so efficiently, and that we should not find ourselves in the lamentable position in which the French found themselves at the commencement of the Franco-German War—believing they had stores in abundance, when they had practically none, and what they had were so badly distributed that a general collapse resulted. If precedent were needed to justify the course he was taking, it was furnished by what occurred in this House at the outbreak of that war. The present Government being then in Opposition, the then Prime Minister moved a Vote of £2,000,000 for the Army Services, and asked for 20,000 additional men for the Army, which were granted, the Prime Minister stating that the object was to establish, not an armed neutrality, but a secure neutrality. There was no likelihood of our being dragged into that war; we had no further interest in Belgium than any other of the great European Powers; and our position was one of undisguised neutrality on both sides: and if in circumstances such as these a

Liberal Government, whose watchwords were peace, retrenchment, and reform, thought it necessary to act immediately, no justification was required now for calling attention to the question. But if it were it was furnished by the speech of the present Prime Minister, made on the 1st of August, 1870, although he knew that on the following day the then Prime Minister was to ask for additional men and money. The present Prime Minister began by saying—

"To a Minister himself, in a state of affairs so critical as the present, I believe there is nothing more valuable than the intelligent and discriminating sympathy of the House of Commons."

The policy of neutrality, he added, should be made—

"Of so active a character that representations at the proper moment may lead to the restoration of peace." "A mere general exchange of platitudes as to the advantages of restoring peace and averting the horrors of war is insufficient; something more is wanted. I think the House will agree with me that excellent as is the policy of neutrality, the policy of neutrality which cannot on the right occasion speak with authority to the belligerents is really a policy not entitled to respect. . . . Therefore it appears to me that the policy of England should be not only neutrality, but armed neutrality."

He asked—

"Are our armaments in such a condition as enables us to adopt such a policy?"

He referred to the proposed Vote, and said—

"On the present occasion it would be satisfactory if we received assurances from the Government, more in detail, as to the condition of our Forces."

He inquired as to the Navy, the arsenals, the forts, and their armaments, the number of ships on the slips, the real condition of our stores, especially as to fuel and coaling stations, and said—

"It is not unreasonable that in the House of Commons these questions should be asked, and this information should be elicited. I will not at length pursue the same inquiries with respect to the Army, the state of which we have also been assured is satisfactory . . . but still one may ask these questions:—Have you an efficient Army? Are your battalions of becoming strength? Are your batteries complete? Are the numbers of the cavalry regiments what they ought to be?" "It is absolutely necessary, in a moment like the present, that we should press for some details on these vital points." "However much economy is estimated on both sides of the House, in crises like the present any body of men, being Ministers of this country, can never appeal in vain to the House of Commons in order that the country may be placed in a state of adequate and complete defence."—[3 *Hansard*, cciii. 1286-1300.]

And, finally, he pointed out how the Crimean War might have been prevented by a decided course. Following the precedent thus set by the Prime Minister, he (Lord Elcho) considered that the state of affairs at the present time sufficiently justified him in calling the attention of the House to this matter. He did not ask the Government to enter into any detail, because he thought the House should trust them; and therefore he thought they should be perfectly satisfied with a general assurance that they were taking steps to give promptness and efficiency to any action which they might think it necessary to take. Those who had studied the question said that in the present state of things it would take seven weeks to land a single English soldier in the East. If that were really the case, he could not but think it desirable that the House should encourage the Government to come to them boldly and ask for the necessary money for the defences of the country. It was with the view, not of hampering the Government, but of helping it, that he had brought the matter before the House. In conclusion, he could only urge his right hon. Friend the Secretary of State for War to be bold in preparation and lavish in timely expenditure which, in the long run, would be the best economy. He was confident that in so doing he would have the support of the House; and he, therefore, hoped that the right hon. Gentleman would be able to give them some assurance that these things were being so looked into that they might be able to carry out promptly and efficiently the policy enunciated by the Home Secretary, and endorsed by the country.

SIR GEORGE CAMPBELL said, he wished very strongly to deprecate a warlike discussion, especially at a moment when, as they had been assured, there was some hope that peace might be suddenly arrived at through the efforts of united Europe. If we maintained the view that because we held one part of Asia we were to dictate to other nations when they were looking after their interests as we had looked after ours—if we were to hold the principle that no other part of Asia should be occupied by any other

European nation, then we should prepare for war. But, under present circumstances, he did not think they need prepare for war, except by making that moderate preparation which they could trust to Her Majesty's Government. As to the road to India, he quite agreed with the Home Secretary's views; but, at the same time, he did not believe that the loss of the Suez Canal would be absolutely fatal. There was an alternative route round the Cape, which they might use during a serious war, and he had Sir Garnet Wolseley's authority for believing that it would be used. As to preparedness and efficiency, our Navy was our main reliance, and he held it would be in our power by means of our Navy, in conjunction with the other Navies of Europe, to stop the war; and though the time might not be the present one, the time might come when by friendly counsels, backed by the Navies of Europe, peace might be obtained. Their best policy at present was friendliness, and he deprecated any discussion which might precipitate the very evil which they wished to avoid.

MR. GATHORNE HARDY: I am far from wishing to blame my noble Friend for putting the Question which he has thought proper to put to me; but, at the same time, I think he would have acted more prudently if he had abstained from doing so. I have nothing to conceal from the House. I brought forward the Estimates, and have not asked the House to increase them; and I think it a little premature to ask me to express an opinion, and to urge me to say something beyond what I have thought it necessary to say. If the occasion should arise to render it necessary to come to the House to ask for additional means, that would be the proper time to inquire what I have done. I wish to have the peace establishment as the nucleus for the defence of the country in case of war. With respect to the Army Mobilization Scheme, that has nothing whatever to do with our sending troops abroad. Therefore, when I brought it forward I always spoke of it as a defensive scheme. Last year my noble Friend will remember that I said there ought always to be a well-formed nucleus, so that our Army might be sent wherever it might be necessary. The House enabled me to increase 18 regiments from 600 to 820 men; and so far as that matter is concerned, everyone can find out our position by looking at the Army List. The noble Lord knows there are 21 regiments in the highest condition of efficiency. I can only rest on my own responsibility in this matter, and it is my duty to be ready for any emergency which may arise. Under these circumstances, I can only say that, feeling the full responsibility of my position, I have still retained the peace force, looking to the possibility, but not to the probability of the contingency of war arising.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

CLASS II.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £2,745, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Salaries and Expenses of the Office of the Lord Privy Seal."

MR. GOLDSMID said, that on a previous occasion, when it had been pointed out that this Office was not a necessary or component part of the Ministry, it had been answered that the Office was most important, because, having no duties, the holder of it was able to take up almost any work required by the Cabinet. But now the First Lord of the Treasury had himself shown that such a Minister as the Lord Privy Seal was unnecessary, because he had undertaken to fill the Office himself without drawing any salary, and under these circumstances he thought the right thing to do would be to withdraw the Vote. The two or three gentlemen attached to the Office should be drafted to some other Department where their services might be useful.

THE CHANCELLOR OF THE EXCHEQUER said, that, although the Lord Privy Seal had small duties to perform in connection with his own proper office, he was nevertheless an officer of importance, because he was frequently able to be of great service to the Cabinet in its deliberations and otherwise. He could by no means admit the hon. Gentleman's

argument that because the First Lord of the Treasury had for the present associated the duties of the Privy Seal with his own it would be at all times unnecessary to have this amount of spare force in the Cabinet. It was rather a serious argument, too, to maintain that because two offices were sometimes amalgamated the second office was unnecessary. There had been occasions when the Prime Minister had also undertaken the duties of Chancellor of the Exchequer, and was it to be argued that the latter office was unnecessary.

MR. GOLDSMID said, his argument applied only to sinecure offices.

THE CHANCELLOR OF THE EXCHEQUER said, that the circumstances of no two Cabinets were alike, and times and seasons must be considered. There might be seasons when it was not inconvenient for the Prime Minister to perform the duties of Lord Privy Seal; but if the Committee would consider the whole organization of the Government, they would see that if an adequate number of offices of Cabinet rank were to be maintained it was by no means unreasonable that this Office should be kept up. There were frequent occasions when the Office of Lord Privy Seal was of the greatest possible convenience to the working of the Government. Any sum now voted would not be drawn from the Exchequer as long as the present arrangement lasted; but if any different arrangement were made in future the salary would be required, and it was obvious that if the Vote were withdrawn no different arrangement would be possible during the present year. He trusted that the Committee would follow its usual precedent, and agree to the Vote.

MR. RYLANDS said, he thought that the Chancellor of the Exchequer had not exactly understood the arguments of his hon. Friend (Mr. Goldsmid). It was not proposed to reject the Vote on the ground that the Office was now held by the Prime Minister; but on the ground that all the arguments went to prove there was no necessity for the Office. The right hon. Gentleman had spoken of the composition of the Cabinet as a circumstance which should be remembered in the consideration of the Vote; but this really seemed to prove the case against the Vote. The argument used by successive Governments year after year in favour of maintaining the Office of Lord Privy Seal was that the weight of business pressing on the Cabinet was such that it was desirable to have an odd man in the Cabinet to relieve the pressure upon any particular Department. Now, the present Cabinet was remarkable (among several other circumstances) for being the smallest known for a great many years. He supposed the deficiency in point of number was compensated for in the quality of those forming the Cabinet. Anyhow, the fact was that there were fewer men than ordinary in the Cabinet; and it was just the time when the holder of the Privy Seal should be a gentleman whose assistance would be useful. But when the Members of the Cabinet were fewer and the pressure of business great, just that very time opportunity was taken to give the Office to the First Lord of the Treasury. Allusion had been made to instances in former years when the First Lord was also Chancellor of the Exchequer; and no doubt there were brilliant examples of statesmen holding those two offices. There was an instance quite recently, when the late Prime Minister temporarily held the office of Chancellor of the Exchequer, but the experience of the junction of those two offices had proved that the course was open to serious objections. But the Office they were discussing was a sinecure, and the only excuse for maintaining it was that a noble Lord would be able to do something for the Cabinet which otherwise there would be nobody to attend to. Now, those who used that argument did so no doubt with the conviction that there was some truth in it; but, looking back at those circumstances, when a Lord Privy Seal attempted to do the work of some Department, he would venture to say the work was always badly done. He remembered when it was said in "another place" that the Lord Privy Seal was engaged in sitting upon the Admiralty eggs, and all those eggs became addled. The only real argument, in his judgment, which influenced a Government in supporting the Office was that occasions arose when Members of former Cabinets had to be appointed again. Generally it would be found upon a Party coming into power that there was a right hon. Gentleman who had held office previously—

it might be Chancellor of the Exchequer or any other office, in which he had not been very successful. When the new Cabinet was formed the question would arise, what was to be done with such a right hon. Gentleman, and a way out of the difficulty was found by making him Lord Privy Seal, and sending him to the House of Lords. But he (Mr. Rylands) was quite sure that did not, in the eyes of the country, justify the maintenance of what was one of the greatest sinecure Offices under the Crown. The Vote should be struck out of the Estimates, and the public service purified from a sinecure appointment for which there was no justification.

SIR GEORGE BOWYER said, the Lord Privy Seal was constantly useful as a responsible Minister of the Crown, because everything that passed the Great Seal must pass the Privy Seal first. It was, therefore, incorrect to say that the Office of Lord Privy Seal was a sinecure. The First Lord of the Treasury merely had in that capacity the rank of a Privy Councillor, and, consequently, it was convenient that he should be also Lord Privy Seal. The present Premier, in taking that augmentation to his dignity, had had the liberality to say that he would not draw the salary. If the hon. Gentleman went to a division he should certainly vote against him.

MR. PEASE said, there was no disposition on the part of the Committee to prevent the Cabinet from having an odd man if they required one; but as the question now under consideration was the abolition, not of the Office of Lord Privy Seal, but only of the salary which would not be drawn, he thought the Committee ought not to pass this Vote of £2,000 a-year.

MR. DILLWYN contended that the duties of the Office in question were not of such a character as necessitated the employment of a Cabinet Minister. In spite of what had fallen from the hon. Baronet opposite (Sir George Bowyer), his opinion was that the Office was a sinecure, and for this reason he had always advocated its abolition.

SIR WILLIAM FRASER pointed out that in former times the Lord Privy Seal was, in fact, the Prime Minister. For instance, Cromwell, King Henry VIII.'s Prime Minister, held the office of Lord Privy Seal.

GENERAL SIR GEORGE BALFOUR suggested that the £2,000 a-year which the Government would save by the abolition of the Office of Lord Privy Seal, would pay for the services of a Cabinet Minister to represent Scotland.

Question put.

The Committee *divided*:—Ayes 104; Noes 46: Majority 58.—(Div. List, No. 142.)

(2.) £27,255, to complete the sum for the Charity Commission, *agreed to*.

(3.) £20,280, to complete the sum for the Civil Service Commission.

MR. WHITWELL said, that, notwithstanding the objections urged last year, this Vote had been greatly increased. Was that in consequence of the increased examinations in the country? He noticed that £3,000 of the Vote was for the examination of candidates for military appointments. Why was not that sum placed under the head of War Office expenditure?

MR. W. H. SMITH said, that candidates for Army appointments did not pay any fees for examination, but it was thought right that the examination of those candidates should be conducted by the Civil Service Examiners. If the principle suggested by the hon. Member were carried out it would be necessary to place the amount expended in examinations for clerks under the head of each Department in the Civil Service. The only increase in the Vote was £500 for the expenses of assistant examiners, consequent upon increased examinations. There had been no addition to the regular staff of the Department.

MR. RAMSAY maintained that the amount spent on the Army Examinations ought to be stated on the face of the Vote.

MR. W. H. SMITH said, the expense of the Army Examinations was set forth on the face of the Vote.

MR. RYLANDS asked whether the assistant examiners were in the Civil Service or not, and if they were what salaries they were paid for other duties?

MR. W. H. SMITH said, that a circular had been sent by the Treasury to each Department requiring that a full Return should be made of all all additions made to salaries which were paid to every officer.

Vote *agreed to*.

(4.) £14,982, to complete the sum for the Copyhold, Inclosure, and Tithe Commission, *agreed to.*

(5.) £7,130, to complete the sum for the Inclosure and Drainage Acts, Imprest Expenses, *agreed to.*

(6.) £41,819, to complete the sum for the Exchequer and Audit Department, *agreed to.*

(7.) £4,910, to complete the sum for the Registry of Friendly Societies, *agreed to.*

(8.) Motion made, and Question proposed,

"That a sum, not exceeding £564,986, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Salaries and Expenses of the Local Government Board, including various Grants in aid of Local Taxation."

MR. PEASE desired to call attention to the fact that the Vote for vaccination expenses, which last year was £6,000, had increased to £16,500. He had thought of going more fully into the subject of vaccination, as the mode in which it was being carried out in the country produced great dissatisfaction; but he hoped to bring on the larger question when the Motion on the Paper placed there by the noble Lord the Member for North Northumberland (Earl Percy) came on for consideration. He would, therefore, do no more at present than ask how it was that there was this increase of £10,500 in the Vote?

MR. SCLATER-BOOTH said, that the charges under this head had been increasing for several years past, and were progressive. The Department had paid great attention to the subject in the hope of reducing the Vote, but he feared that it could not be diminished. The increase of £10,500 had not occurred last year, but had been growing for some time, as during the present Session a Supplementary Vote had been granted to provide for the arrears of last and previous years. The expenditure arose in carrying out the requirements of Acts of Parliament. The sum of 1*s.* 6*d.* was allowed for each case, and 1*s.* extra for each successful case of vaccination by medical officers, and he did not think that 2*s.* 6*d.* was too much for such cases. The practice of vaccination was carried out much more regularly than formerly in consequence of the Act of 1873 requiring officers to report to the Boards of Guardians all cases of neglect. That caused children to be brought to the medical officers to be vaccinated, and that again was the cause of an increase in the charges. The greatest pains were taken to secure the right administration of this money, and to mitigate the evils of this scourge.

MR. DODSON called the attention of the Committee to the large and increasing charges for Inspectors of different kinds. In this Vote were included the salaries of 56 Inspectors, amounting to £44,000, and if their travelling and other expenses were included the aggregate cost was about £134,000. By this and other Votes Inspectors were provided for, exceeding 1,000 in number, whose salaries amounted to £300,000. These were all Inspectors or Commissioners superintending—not to say interfering in—the conduct of local affairs by local authorities, or private affairs by private bodies or individuals. Both in amount and cost the superintendence of the Central Government was daily increasing. It used to be said that everything an Englishman used or enjoyed throughout his life was the subject of a tax. Happily, we had got rid of the greater number of those taxes. There was, however, a danger that the Government Inspector would become the general nuisance that the taxgatherer used to be formerly. It might almost be said that every pursuit in which an Englishman engaged was now the subject of inspection by some officer under some branch of the Central Government. Inspectors haunted their factories, workshops, mines, railways, and ships, and pried into a multitude of other matters. There was an Inspector of the school in which a man received his education at the beginning of his life, also an Inspector of the burial ground in which he was laid at its close. That system had made great strides within the last 12 years. In 1865-6, the number of Inspectors employed by the Central Government was between 300 and 400; whereas now the number of Inspectors and Commissioners was upwards of 1,000; the aggregate amount of their salaries and expenses having risen within the same period, in round figures, from £140,000 to £300,000, or, including both salaries and expenses, to £600,000. However

much could be said in favour of inspection by the Central Government to secure the execution of certain laws, yet the growth of that system ought to be watched with the utmost vigilance and jealousy both in the interest of economy and of what was more important—the avoidance of undue interference in the management of local affairs by local authorities, and of private affairs by individuals. He would not propose the reduction of the Vote, as all that expenditure was intended to carry out services which the House had previously sanctioned; but he thought that unless they made a stand against the inordinate extension of the system to which he had referred, that feeling of local independence and individual self-reliance which had always distinguished our people, as compared with other nations, would soon be destroyed.

MR. RAMSAY concurred with the views of the right hon. Gentleman, believing it to be most undesirable that the self-reliance of individuals or of sections of the community should be impaired by Government interference. He also quoted, as an example of the diversity of practice existing in different parts of the Kingdom, the fact that they were asked to vote £16,000 for vaccination in England, while for Scotland, where vaccination was equally compulsory, there was no corresponding charge. In the same way there was an item of £35,000 for the education of pauper children in workhouses; whereas the cost of educating the same class of children in Scotland was thrown upon the rates. The item was out of place here, and ought to be included in the general Vote for Education.

MR. MELLOR thought the right hon. Gentleman (Mr. Dodson) must be under some misapprehension when he spoke of the inconvenience which the visits of the Inspectors occasioned in the workshops, by the frequency of their visits, because no practical inspection of them was ever made. The right hon. Gentleman said that if a man went down a mine he was immediately followed by an Inspector, but colliers who had worked in coal mines for 25 years or more had assured him that they had never seen an Inspector down their mines; and from his own experience he could say that Inspectors were seldom or ever seen inside the mills and factories. The Inspectors were generally selected from among discharged officers of the Army and Navy, and the Excise, a class of men who knew nothing about properly protecting machinery or the duties that they had generally to discharge. There was scarcely one of them who was competent to say if machinery was properly secured or not. In the Poor Law union of Ashton-under-Lyne he found that the two Inspectors visited the workhouse three times last year, and the whole time occupied by them was just nine hours. Surely if this short space of time was sufficient for the purpose of efficient inspection we might dispense with their services altogether. The country was paying too much for the work performed by Inspectors. They should reduce the number, and thereby produce a corresponding amount of economy.

MR. RYLANDS said, that for some time Parliament had embarked on this species of legislation, without any proportionate benefit for the expense incurred. The effect of the recent relief of local taxation at the expense of the country had been to increase rather than diminish expenditure. The effect had certainly been to greatly increase the expenditure with regard to pauper lunatics. To every pound granted in this Vote there would probably be added 5*s.* for increased superannuation charges with regard to the different departments concerned. If the Committee did not wish the country to be involved in serious difficulties with reference to increased expenditure they must resist the cry of local relief, which, in his opinion, had always been a mischievous cry; and they ought also to resist the Chambers of Commerce, that were constantly asking the Government to apply remedies for existing evils which these institutions ought to provide for themselves. The creation of so great an army of officials was becoming a positive danger, since it led to a waste of public money, without conducing to the general advantage of the country or to the increased safety of the public health.

SIR WALTER B. BARTTELOT agreed that this expenditure of £340,000 did not benefit the landed interest. He thought the root of the evil was that the counties were forced to provide the most costly lunatic asylums, and to maintain pauper lunatics in them at an expense altogether unnecessary. Such a pitch

of extravagance had been reached in this respect that some remedy must very quickly be found. At the present time Surrey and other counties were labouring under great difficulties as to accommodating pauper lunatics; and he submitted that it was most desirable to allow those pauper lunatics who were harmless to be kept in the Union workhouses, and to be granted a certain sum head for their maintenance there according to their cost. That would tend to save a considerable sum now expended in the construction of costly asylums. He also complained of the inequality with which England and Scotland were treated in this matter, for Scotland had managed to secure a State grant of 4*s.* per head for lunatics kept in their union workhouses which was not granted to England.

MR. WHITWELL expressed concurrence with the hon. and gallant Baronet in what he had said as to the extravagance of the present system.

EARL PERCY agreed with the hon. and gallant Baronet that harmless lunatics should be retained in the workhouses, and pointed out that the various remedial measures which increased the number of Inspectors, such as the Acts relating to factories, mines, unseaworthy ships, and education had been supported quite as much by the Liberal Party as by the Conservatives. He should like to be informed upon what statistics the President of the Local Government Board based his opinion that vaccination had of late years been more satisfactorily carried out than before.

MR. RAMSAY explained that there was a misapprehension in the minds of some hon. Gentlemen as to the grants made by the State in Scotland, and denied that that country really obtained any concession which was withheld from England. He thought it would be desirable to assimilate the English to the Scotch system.

MR. SCLATER-BOOTH said, he thought his right hon. Friend the Member for Chester (Mr. Dodson) ought not to have founded his homily on this Vote. His right hon. Friend had read to the House a very interesting lecture on the disadvantages of too much inspection, and in that principle he himself entirely agreed. But his right hon. Friend had entirely failed to show that there was in this Vote anything to justify the lecture he had delivered to the Committee. He thought that his right hon. Friend must be aware that the great increase in the number and cost of Inspectors in the public service during the last 12 years was due, not to any additional increase under this Vote, but to the number of Inspectors assigned to the Education Department, the Board of Trade, and the Home Office. His right hon. Friend might have had the candour to point out that since he had been President of the Local Government Board he had abolished a whole class of Inspectors that had been constituted by the Government of which his right hon. Friend was a Member. This was done at the very trifling cost of adding one or two to the number of the general Inspectors. There were also other appointments under this Vote that he had been the means of getting rid of. He had forborne on many occasions from asking Parliament to establish additional inspection in respect of improvements of the law which he had had the opportunity of passing through the House. When the Adulteration of Food Act was passed he did not ask Parliament for additional Inspectors; he left that matter to the local authorities. The same remark would apply to the measure for the prevention of the pollution of rivers, and to the Act relating to noxious vapours from alkali works. With regard to the complaint that £35,000 was a subvention in aid of education, and that some security ought to be given for the proper expenditure of that money, he must say that the charges for the inspection of workhouse schools erred certainly on the side of moderation. There was no doubt some plausibility in the suggestion that the Education Department should perform the function of inspecting workhouse schools. That was formerly done by the Education Office; but these schools were not only for the education, but also for the maintenance of pauper children; and it would be extremely injurious to have one set of Inspectors to inquire into the education of the children and another to ascertain how they were boarded, lodged, and maintained. The hon. Member for Burnley (Mr. Rylands) had raised a large question with respect to subventions in aid of the support of pauper lunatics; but the Committee would remember that the grant of 4*s.* per head

to which allusion had been made was surrounded by a variety of guarantees against abuse in its expenditure. The management of the lunatic was a matter altogether apart from the duty of the Guardians. The lunatic could only be removed by the authority of the magistrates, and the Visiting Justices were responsible for the expenditure incurred in maintaining him. In Scotland, however, the system was altogether different, the lunatic wards in the workhouses there being certified places of detention. In English workhouses the so-called lunatics were merely imbecile paupers. It had been urged that it would be for the interest of the ratepayers that those imbeciles should be removed from the workhouses to the asylums so that the latter might receive the 4*s.* per head per week, and that was a question to which he had given much consideration; but the statistics showed that while there had been from year to year an increase in the number of lunatics in the county and borough asylums, there had also been an increase in the number of lunatics in the workhouses, and that not only from removals, which could only be effected by warrant signed by a Justice. He had been asked whether he thought that the Vote under consideration would increase. Well he certainly did not look for a reduction of it, but this he believed —that it was within the control and competency of the local authorities themselves to effect a reduction if they desired to do so. He did not see why several Unions might not unite to provide asylums of a cheaper character, or wards in the workhouses in which imbecile persons might be attended to at a much lower cost than that which they entailed in the county asylums. He should certainly deprecate the breaking down of any of the safeguards against abuses which at present existed. He could not enter into the whole question of the policy of the Government with regard to these subventions; but all who had watched the progress of public opinion for the last 10 years must admit that some system such as that adopted by the Government must have been applied in aid of local rates, or else some fundamental change must have been made in the way of collecting and assessing the rates, not only from landed but from personal property. That was a matter of so much difficulty, and would involve so great a change in our existing practice, that he was satisfied the Government had adopted the right alternative when they elected to meet the demand upon them by the adoption of these subventions. With respect to Scotland they managed matters in that country well and with great public spirit, but the system which prevailed there was very different from that which existed in England; but he might remind the Committee that last year his right hon. Friend the Chancellor of the Exchequer stated to a deputation from Scotland that with the same securities for due administration as were given here the system of subventions in aid of salaries might be put in force in Scotland. The Guardians and workhouse authorities in England greatly disliked to have the responsibility of taking care of troublesome and imbecile patients. They caused more expense than ordinary paupers, and the Guardians wished them to be removed to the asylums even when they could be treated in the workhouse. With reference to the large increase in the Vote for vaccination, it was accounted for by the more efficient manner in which the Vaccination Act was now carried out. The medical officers charged with the duty of vaccination had now had so much experience of the work that they carried it out with more skill than formerly, and were more alive to the directions for the performance of vaccination which were issued from head-quarters. In a recent Report of the officer at the head of this department it was stated that in the year before last 95 per cent of the children born in England had been vaccinated in that year. That was a great result, and the rapid progress of the Vote was an indication that the work was now performed in an efficient and satisfactory manner.

MR. PEASE said, that, after the explanation that had been given by the right hon. Gentleman of the increase of the costs of vaccination, he should not press his Amendment for a reduction of the Vote to a division, as if he did so it would really imply a breach of contract with those medical gentlemen who in most cases had faithfully discharged the duties they had undertaken; but he must enter a *caveat* against the remarks that had been made about Inspectors, which remarks would produce an impression in

the country very different from that intended by the hon. Member for Ashton-under-Lyne (Mr. Mellor). He believed that the Inspectors of factories and mines, as well as Poor Law Inspectors, were generally men of special qualifications who discharged their duties efficiently. At the same time, the increase in the number of Inspectors was a matter deserving of attention, for inquiries by Committees and Commissions generally resulted in the appointment of more Inspectors, and the House was never so dangerous as when it became philanthropical.

MR. CLARE READ said, he was glad that the right hon. Gentleman the President of the Local Government Board thought that some cheaper mode than existed at present for the maintenance and instruction, as far as it went, of harmless idiots should be adopted. Some were in asylums who ought not to be, and many were in workhouses where their presence was more or less a nuisance. He hoped the right hon. Gentleman would exercise his influence with the Lunacy Commissioners, and endeavour to induce them not to insist upon so many alterations in workhouses when converting them into asylums for harmless idiots. The expense which such alterations necessitated was very heavy.

SIR ANDREW LUSK said, he was very glad that this discussion had taken place. Year by year the Vote to which the attention of the Committee had been directed had largely increased. It had risen from something like £100,000, at which he remembered it when he first entered the House, to £714,000. Such expenditure was not to be regarded in the same light as that on the Army and Navy, which were Government Services, and it was not to be assumed that the expenditure was always justifiable because it was incurred under the supervision of the Local Government Board. It was a very open question whether an increased expenditure did much good; at any rate, this test of expenditure was not a proper test. He was glad to bear his testimony to the sound management of the Department; but the managers for the poor had no liberty, and were placed in a very undignified position, as all control, even in the most trivial matters, was taken away from them by the Local Government Board. He found no fault with the right hon. Gentleman, but with the policy adopted by the House.

MR. BIGGAR recommended that there should be some test of the qualifications of Inspectors under the Local Government Board, as he believed that many of them were incompetent.

MR. SCLATER-BOOTH said, in reference to the interference of the central authority with Boards of Guardians in the Metropolis, of which the hon. Baronet the Member for Finsbury had complained, he was ready to admit that the interference was greater than with Boards of Guardians in the country, but he wished to point out that it was brought about in the most deliberate manner by the unanimous vote of Parliament in 1867. The hon. Baronet must very well remember the abuses which brought about that centralization. He was not an advocate for an extension of the present system, rather would he wish to decrease it; but he could not deny that it had worked for the relief of the ratepayers and the benefit of the local institutions. He thought the hon. Baronet's charge, that the Vote for his Department had increased, was scarcely justifiable. That increase was brought about by three causes. In the first place, when the Local Government Board was set up, various duties which had been up to that time performed by other Departments were transferred to the new Board. Secondly, when the Public Health Act was passed Parliament deemed it expedient to grant certain subventions to the local authorities in aid of the offices created under that Act. Those subventions caused an increase in the Vote of £100,000 a-year, which had since been reduced to £60,000. The third cause of the increase was attributable to the policy adopted by the Government in 1874 of granting subventions in aid of pauper lunatics. With all these causes in view, it was hardly fair to charge the Department with having allowed the Vote to increase.

MR. PARNELL was sorry that the Vote should be taken when there were so few Members present to discuss it. It was, perhaps, one of the most important Votes that could be brought before the House—not so much from its present importance as from the prospective importance it appeared to be gaining by reason of the centralizing influences the Government were introducing under the

guise of domestic legislation. He wished to point out to hon. Members on the Liberal side, who on various occasions had expressed themselves opposed to the centralizing policy which the right hon. Gentleman (Mr. Sclater-Booth) avowed himself in favour of, that by discussing the various items of the present Vote, and by urging objections where reasonable objections could be found, the attention of the Government would be directed to the subject in the most practical way. The hon. Gentleman moved to reduce the Vote by the sum of £10,000.

Motion made, and Question put,

"That the Item of £16,500, Public Vaccination, be reduced by the sum of £10,000."—(*Mr. Parnell.*)

The Committee *divided:*—Ayes 2; Noes 115: Majority 113.—(Div List, No. 143.)

Original Question put, and *agreed to.*

(9.) £12,494, to complete the sum for the Lunacy Commission, *agreed to.*

(10.) £41,700, to complete the sum for the Mint, including Coinage.

SIR ANDREW LUSK complained that the country had not a proper Mint. The Government ought to look out for a good place and see where a suitable building for the purpose could be erected. He wished to know whether the Chancellor of the Exchequer was prepared to go forward in this direction?

MR. SWANSTON thought the present site was sufficient for the purpose; and, considering the present state of the Exchequer, he thought it would be better to let matters remain as they were.

MR. MONK also hoped that the Mint would not be removed from its present site.

THE CHANCELLOR OF THE EXCHEQUER said, the question of the Mint was no doubt one of some interest and of some complexity. The Government were not entirely satisfied with the present condition of the Mint. The machinery was not so good as it ought to be, and it must be renewed. They must not run into extravagance for the purpose of putting up a Mint "worthy of the country." A Mint that properly did its work was a Mint "worthy of the country." On the other hand, it was true that a good deal might be done by selling the present site for other very valuable purposes, and possibly then a new site might be obtained on which new machinery might be constructed more conveniently than on the present site. The Government had met with a great deal of difficulty in trying to find such a site, and hitherto they had not been able to come to any arrangement. They were still considering the subject, and making inquiries. If they could not find a place which they thought both from an economical point of view and in other respects would suit them, it would then be for them to carry out the necessary alterations in the machinery on the present site.

MR. DODSON regretted to hear the right hon. Gentleman speak of acquiring a site for the Mint by purchase as if no other course admitted of consideration. It had been suggested that the Mint could be safely and conveniently placed within the precincts of the Tower without any cost having to be incurred for the purchase of the site. A good deal of French copper coinage was coming into this country. He presumed that indicated that the supply of our copper coinage was deficient. He should be glad to know whether the Mint was taking steps to supply that deficiency.

GENERAL SIR GEORGE BALFOUR said, the placing of the Mint within the precincts of the Tower was utterly out of the question. He suggested that it would be better to secure a site at Woolwich and fortify it.

MR. DELAHUNTY said, he had to mention a matter in connection with coinage which was of considerable importance to small shopkeepers. There were two small silver coins, fourpenny and threepenny pieces, and it was very inconvenient to parties trading to find out which was which, and mistakes were very apt to be made by people in a hurry. What he would suggest was—and he knew it would be a great boon to small shopkeepers—that fourpenny pieces should be abolished and threepenny pieces retained, which would be more convenient than retaining both coins.

SIR ANDREW LUSK said, he was glad the Government had taken the subject of the Mint into their consideration.

MR. RYLANDS expressed the hope that if the Government came to the conclusion that it was expedient to purchase another site for the Mint, the House

would have an opportunity of properly considering the whole proposal before it was asked to commit itself to any large expenditure for such a purpose.

MR. GOLDSMID remarked that the House on two previous occasions had considered the question of the removal of the Mint, and had twice decided that the Mint should be kept where it was. He would, therefore, advise the Government to rest satisfied with those two decisions and not to bring the matter again before the House. The desire of the Government seemed to be to provide a house in a better situation for the Assistant Master; but when a man accepted a good office he should put up with the residence, though it might not be in the most favourable situation. The Government should keep the Mint where it was.

THE CHANCELLOR OF THE EXCHEQUER altogether repudiated the suggestion that there was any idea of removing the Mint for the sake of providing a more agreeable residence for the Assistant Master. The only object which the Government had was to make the most economical and best arrangement for the working of the Mint. The House had not twice objected to the removal of the Mint, but had objected to the schemes proposed. However, there were two alternatives—either to expend money in improving the buildings upon the present site, or to find another site and sell the present buildings and site to the best advantage. No scheme would be proposed by the Government on the subject without giving the House a full opportunity of considering the matter. As to the coinage, he believed that the Mint was providing as much copper coinage, either by its own operations or by contract, as was likely to be sufficient.

MR. BIGGAR thought it would be much more convenient to have the Mint as near as possible to the London banks, and that it would be a mistake to remove the Mint as far as Woolwich.

Vote *agreed to.*

(11.) £13,857, to complete the sum for the National Debt Office, *agreed to.*

(12.) £18,069, to complete the sum for the Patent Office.

MR. LYON PLAYFAIR remarked that while the Government derived a revenue of £180,000 from the inventors of this country, it made them a very insignificant return. Only about £2,000 was spent upon a Patent Museum. The Patent Museum at South Kensington was very inferior to the corresponding institutions in France and America, and if we had such a museum at all it ought to be a good one, and such as would promote invention. He wished to ask whether the Government had bought or rented a large building for the purposes of an efficient Patent Museum?

MR. WHITWELL asked how it was that so much was expended in these departments for stationery?

SIR ANDREW LUSK asked who now paid the Law Officers? He thought that inventors did not pay so much in fees as it seemed to some hon. Members.

MR. W. H. SMITH said, that two years ago the Government undertook to provide for a better exhibition of patented inventions; but shortly after an arrangement had to be made for an exhibition of scientific instruments, and that exhibition expanded to such a degree that the Government was obliged to concede for the time to the Exhibition the space provided for the Patent Museum. It was still the intention of the Government to find suitable space for specimens of patents and inventions. The hon. Member for Kendal (Mr. Whitwell) had referred to the cost of printing and stationery for patents; but one condition was that inventors should have pacifications provided, and they were very costly. The Law Officers of the Crown were now paid by salary and not in fees, and these payments were voted annually.

GENERAL SIR GEORGE BALFOUR was understood to complain that the Scotch and Irish Law Officers had not been placed on the same footing as the English. They still received emoluments out of the fees levied on patents. The salaries of the Attorney and Solicitor General of England were now fixed, irrespective of their former fees. Then the Lord Advocate of Scotland received fees from three different sources. It was also impossible to find out what the total emoluments were which the Lord Advocate actually had. All this mystery was wrong. Moreover, Scotland had a right to the entire services of the Lord Advocate, and could afford to remunerate him liberally for devoting all his time to their public duties, without being de-

pendent either on fees for patents or for other causes, and even to pay him so as to enable him to abstain from private practice.

MR. DILLWYN objected to spending money on a Patent Museum. He did not believe in the necessity for one. Unless large enough to contain models of every patented invention it would be of little use, and even then would take more space and cost more money than it would be worth.

Vote *agreed to.*

(13.) £17,258, to complete the sum for the Paymaster General's Office.

(14.) £18,719, to complete the sum for the Public Record Office.

(15.) £8,136, to complete the sum for the Public Works Loan Commission, &c.

GENERAL SIR GEORGE BALFOUR inquired to what extent the Government were responsible for the loans which the Commissioners made?

MR. W. H. SMITH explained that neither the Treasury nor the Chancellor of the Exchequer were responsible for the particular advances which were made by the Public Works Loan Commissioners; but they as well as the Government of the day were responsible for any remission of debt due to the public which they might from time to time propose to Parliament.

Vote *agreed to.*

(16.) £38,611, to complete the sum for the Register Office General, *agreed to.*

(17.) Motion made, and Question proposed,

"That a sum, not exceeding £377,729, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for Stationery, Printing, Binding, and Printed Books for the several Departments of Government in England, Scotland, and Ireland, and some Dependencies, and for Stationery, Binding, Printing, and Paper for the two Houses of Parliament, including the Salaries and Expenses of the Stationery Office."

MR. RYLANDS, after objecting to several items, said the expense was out of all proportion to the work done. In estimating the extra receipts it must be remembered that a large sum was received for waste paper.

MR. RITCHIE said, the quantity of waste paper arose from the fact that Returns were too freely granted, and he suggested that in future more attention should be given to the fact whether they were for the public interest or not before they were granted. He also suggested that when they were granted, they should not be distributed so lavishly as at present. A great many Returns were moved for and granted that were of interest only to those who moved for them. By restricting their issue to those Members only who wished to have them, hon. Members would be saved the trouble of arranging them, or of selling them for waste paper.

MR. DILLWYN called attention to the large sum paid to the editors and clerks of *The London, Dublin,* and *Edinburgh Gazettes,* and moved the reduction of the item by £2,116. He looked upon the office as a sinecure, and he expressed his doubts whether the sums charged for clerks were really so expended.

Motion made, and Question proposed,

"That the Item of £2,116, for the Salaries of the Gazette Offices, London, Edinburgh, and Dublin, be omitted from the proposed Vote."—(*Mr. Dillwyn.*)

MR. W. H. SMITH said, the amount of printing was, no doubt, very large; but if a Return was ordered by the House, it did not cost very much more to furnish 100 or 200 additional copies. With regard to the gentlemen employed in connection with *The London Gazette,* they fairly earned their salaries. The editor, a gentleman appointed by the late Government, was fully entitled to the salary he received, and the five clerks had a considerable amount of work to do. Considering that a profit of £25,000 was obtained, the amount of expenditure was not very large.

MR. GOLDSMID complained of the great expenditure which occurred on Parliamentary Returns, and recommended the Government to show a little more firmness in resisting Motions for such Returns.

SIR ANDREW LUSK was of opinion, on the contrary, that no greater obstacles ought to be placed in the way of granting them, inasmuch as they frequently furnished a good deal of valuable information as well as supplied many hon. Members with the only opportunity of bringing their names before the public.

SIR GEORGE BOWYER said, it would be a pity to curtail the privileges of hon. Members, who should be allowed to move for Returns, which might be of service, if not to the general public, at least to their constituents. Economy might, however, be exercised in cutting down the voluminous mass of information which was sometimes laid on the Table by the Government, and which nobody ever read.

MR. BIGGAR supported the Vote.

MR. RITCHIE said, he had no doubt the hon. Gentleman who had just spoken found Blue Books occasionally very useful. Economy might, he thought, be secured, if greater care was observed in the granting of Returns.

SIR PATRICK O'BRIEN thought that the cost of printing might be reduced and the time of the House saved, if the Questions of which hon. Members gave Notice were — as they well might be—confined to a compass much shorter than the space they now usually occupied.

MR. ASSHETON considered that the number of Blue Books printed went in many cases beyond the demand.

MR. J. COWEN observed that £775 was paid for 121 copies of *Hansard's Debates*. This was all that Mr. Hansard received for his very excellent record of the debates of Parliament. He noticed also that £400 was paid to Mr. Ross for *The Parliamentary Record*. The sum paid for each of these publications seemed scarcely proportionate; and he should like to know what number of copies of *The Parliamentary Record* were circulated.

MR. W. H. SMITH was not able to say how many copies of *The Parliamentary Record* were circulated. It was, however, furnished to all the Public Offices, and was found exceedingly useful as a record of the proceedings of Parliament.

Motion, by leave, *withdrawn*.

Original Question put, and *agreed to*.

(18.) £20,593 to complete the sum for the Woods, Forests, &c. Office.

SIR CHARLES W. DILKE called attention to the great expense of management of the Woods and Forests as compared with the revenue of that Department. The gross revenue of the Woods and Forests was £470,000 a-year, while the salaries, legal expenses, &c., amounted to between £110,000 and £120,000 per annum, or one-fourth of the entire revenue. The Woods and Forests were looked upon as a Revenue Department, and the Commissioners had frequently, in documents presented to that House, and in evidence given before Committees, spoken of themselves as being purely a Revenue Department. There was, however, one estate under their charge of a very different kind from the others—the Windsor estate, which cost £25,000 a-year, whilst its receipts were only £6,000, being an annual deficit of £19,000. It was desirable that in future this estate should be included in the first class of Estimates as a Palace in the occupation of Her Majesty. He thought it rather strange that the Commissioners of Woods and Forests, who had thought it their duty to address the House of Commons in opposition to the views it had taken on the subject of the New Forest, should have omitted to point out the inconvenience of keeping a Palace account such as that of Windsor under the head of a Revenue Department.

MR. MORGAN LLOYD said, he was satisfied that the subject of Woods and Forests was one which needed further discussion, and was not sufficiently understood by hon. Members; but he thought the letter of the head of the Department was a very proper one, and that the views he had expressed were not open to the censure conveyed by the remarks of the hon. Baronet the Member for Chelsea.

THE CHANCELLOR OF THE EXCHEQUER said, that the arrangements now in force had been in existence ever since the settlement with the Crown in reference to Crown Lands. Whether it was the best that could be made, and whether the system of management that was adopted, allowing it to be reckoned with other portions of the Crown Lands, was a good one, he would not say; but it was the way in which the property had been dealt with throughout the present Reign and several previous Reigns, and he did not think it would be fair to make an alteration in the system all at once. There would be no objection to laying Mr. Howard's letter before Parliament.

MR. DILLWYN observed that he did not understand the hon. Baronet the

Member for Chelsea to pronounce any blame on Mr. Howard in respect of his letter. He merely said that Mr. Howard had placed himself in the position of an accounting officer. The real question the hon. Baronet had raised was whether the property should continue to be managed at a cost of 22½ per cent?

MR. RYLANDS thought steps should be taken by the Government to bring the enormous expenditure which at present took place in connection with the Crown Lands into something like reasonable bounds.

MR. WHITWELL considered that the Treasury had not a proper control over the estate as things were, and that the accounts showed the fact.

THE CHANCELLOR OF THE EXCHEQUER said, that the matter was one which might be raised by giving distinct Notice. The accounts were always laid before Parliament, and it was competent to anyone to raise the subject more conveniently than by mere conversation. The hon. Gentleman (Sir Charles Dilke) ought to have considered the peculiar character of the estate, and that it had been taken from the Crown on a certain understanding, part of which was that Windsor Park should be kept up in a particular manner. No doubt the estate was not managed strictly on commercial principles, and there was consequently a considerable percentage of expenses for managment. But the Government had directed their attention to the subject, and always desired to curtail any unnecessary expenses.

Vote *agreed to.*

(19.) Motion made, and Question proposed,

"That a sum, not exceeding £31,395, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Salaries and Expenses of the Office of the Commissioners of Her Majesty's Works and Public Buildings."

MR. MELLOR moved the reduction of the Vote by the sum of £510, the amount of the salary of the superintendent for the supply of coals and firewood, and of the superintendent for the supply of candles and oil.

Motion made, and Question proposed,

"That a sum, not exceeding £30,885, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Salaries and Expenses of the Office of the Commissioners of Her Majesty's Works and Public Buildings."—(*Mr. Mellor.*)

MR. WALTER should like to know what offices there were to which those articles were supplied?

MR. GERARD NOEL explained that the officers in question superintended the supply of coals and firewood and of candles and oil, not for the Office of Works alone, but for all the Government Offices in Class I.

SIR ANDREW LUSK drew attention to the fact that several officers whose salaries were included in this Vote also received salaries from other offices, and suggested that it was an unsatisfactory system of paying them.

MR. DODSON also asked for information as to an item of £50 a-year paid to one of the officers as receiver of the tolls of Chelsea Bridge. What connection was there between the Office of Works and Chelsea Bridge?

MR. W. H. SMITH said, Chelsea Bridge was the property of the Government, and it had been customary for many years to allow the officer in question the sum of £50 a-year out of the tolls of the bridge.

Question put.

The Committee *divided:*—Ayes 40; Noes 122: Majority 82.—(Div. List, No. 144.)

MR. DILLWYN objected to the practice of allowing public officers to be paid by salary and commission. In his opinion, they ought to be paid by one or the other but not by both. The existing practice was bad, and ought to be abolished.

MR. GERARD NOEL said, the arrangement had been come to many years ago after much consideration, and the work was well done.

Vote *agreed to.*

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £20,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending 31st March 1878, for Her Majesty's Foreign and other Secret Services."

MR. PARNELL, viewing the subject as one of considerable importance, hoped the Government would not think it unreasonable to report Progress at that stage. He did not wish to go into the Vote then, because it was a matter which would lead to much discussion, and he would like to avail himself of the assistance of the other Irish Members not then present. ["Oh, oh!"] He knew that was not a reason which would be accepted if there were no other reason; but it was one which weighed with him, and he had no desire to accept the responsibility of discussing the Vote then. It was a matter exciting much attention in Ireland. The Committee would observe that the item of Secret Service came in the Estimates under the branches connected with England only—there were no charges under that head for Ireland or Scotland. In Ireland it was believed —and he thought not without reason— that a considerable portion of the sum voted was spent in a most improper way in England; and in years gone by the sums thus spent were much larger. He thought that the amounts for the Vote spent in Ireland or in matters connected with Ireland should be stated in the Vote, so that the country could understand how much of the Secret Service money was devoted to Ireland. If the Government would undertake to make that declaration he should not press the Motion; but if an objection were raised, he should move that Progress be reported.

THE CHANCELLOR OF THE EXCHEQUER said, it was getting rather late, and the Committee had been engaged upon the Estimates the whole evening. He would not, therefore, object to Progress being then reported.

Resolutions to be reported *To-morrow;*

Committee also report Progress; to sit again *To-morrow.*

CUSTOMS, INLAND REVENUE, AND SAVINGS BANKS BILL—[BILL 143.]

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith.*)

CONSIDERATION.

Bill, as amended, *considered.*

MR. J. W. BARCLAY moved the following clause:—

(Exemption of farmers from Gun Licence Duty.)

"Guns used by farmers or persons employed by them exclusively for the protection of their crops shall be exempted from Licence Duty."

He was sorry to have troubled the House another year with this question. There was a considerable amount of feeling in the country with regard to this tax, which the farmers considered most unjust, as it prevented many from taking steps to protect their crops from the ravages of wild animals. Of late years, rooks and wood pigeons had greatly increased in number, and every time the farmer's attention was called to the damage caused thereby, it was naturally associated in his mind with this obnoxious gun tax. When the tax was first imposed, it was said to be for the purpose of preventing people going about with guns who ought not to possess them, but there was no reason why farmers should not be exempted. This gun tax was a reversal of the policy which Parliament had adopted many years ago. When there was a considerable agitation in regard to game, Parliament gave a concession in favour of farmers shooting hares upon their own farms. This concession was removed by the gun tax being imposed. The right hon. Member for London University, to whom the country was indebted for the tax, had a great desire for simplicity and uniformity, and consequently it was imposed upon all alike. He would direct attention to the Report of the Inland Revenue Commissioners on this question. They said that many persons used guns for sporting who did not possess game licences. It was evident that the gun licence was collected with more diligence than the game licences; for, while the gun licences had increased by 8,000 during the year, the game licences in the same period had decreased by 1,400. He was afraid this tax was continued as an additional game law, and imposed for the purposes of protecting game. Farmers had long just cause of complaint in respect to injury to their crops; but instead of getting any relief, the grievance was becoming greater every year. The whole amount received from the tax was only £60,000 a-year, and it was not therefore a question of revenue.

New Clause—(*Mr. J. W. Barclay,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

GENERAL SIR GEORGE BALFOUR supported the proposition of the hon. Member for Forfarshire, as he believed that the Government would derive a larger revenue from licences if the gun tax were abolished and the right to carry guns made to depend on the local arrangements of counties by transferring the income now paid into the Exchequer to the localities. This licensing, as well as the licences for dogs, for shooting game, for hawkers, and various other purposes, were purely police arrangements, and consequently the receipts therefrom ought to go into the local funds and not into the Exchequer.

MR. ANDERSON was sorry he could not support the proposal, because it was one for simply exempting farmers and those employed by them from paying the gun tax, and that would introduce a system of exemptions which would be of a very exceptional character. The tax might be a good or bad one, but while it remained he could not but oppose exemptions.

THE CHANCELLOR OF THE EXCHEQUER thought that the objection of the hon. Member who had spoken last hit the real difficulty in the way of such a clause. There would, moreover, be great difficulty in defining who were farmers, and in discovering whether a man carrying a gun and shooting was really a farmer or a poacher. It was quite clear that the Government could not adopt such a proposition as this, as the revenue officers would not know where to levy the tax.

SIR GRAHAM MONTGOMERY said, that the farmers of Scotland would like to get rid of the gun tax, but not at the expense of the rest of the community of that country.

Question put.

The House *divided*:—Ayes 20; Noes 92: Majority 72. — (Division List, No. 145.)

Bill to be read the third time *To-morrow*.

PUBLIC WORKS LOANS BILL.—[BILL 146.]

(*Mr. Sclater-Booth, Mr. Salt, Mr. William Henry Smith.*)

COMMITTEE.

Bill *considered* in Committee.

GENERAL SIR GEORGE BALFOUR moved, after Clause 2, to insert the following clause:—

(Particulars to be laid before the House as to proposals for composition of debts.)

"No proposals to enter into any composition of any debts due on any locality shall be accepted by the Public Works Loans Commissioners until within one month after laying upon the Table of the House such a selection of the Papers relating to the Loan as will show, first, the names of the Commissioners who granted the Loan; second, the conditions on which granted; third, the measures previous to agreeing to the Loan to inquire into the validity and amount of the rates mortgaged for its security, and as to the propriety of taking or dispensing with personal security; fourth, the inquiries made into the sufficiency and soundness of those securities to ensure the due and regular payment of the instalments with interest; fifth, the measures taken since the first default, to enforce the rights of the public both over the mortgaged rates, and to hold the individuals or authorities who obtained the public money responsible for the debt; and, sixth, an explanatory report as to the sufficiency or insufficiency of the powers given in 'The Public Works Act, 1875,' to protect in the past the interests of the public, and in what respects needing amendment for the future loans, and only after the papers have remained upon the Table of the House for the one month without objection, that the debt may be then settled."

MR. W. H. SMITH opposed the clause, and said the object could be attained in an equally effective and less objectionable manner.

Clause, by leave, *withdrawn*.

Bill *reported*, without Amendment; to be read the third time *To-morrow*.

WINE AND BEERHOUSE ACT (1869) AMENDMENT BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend "The Wine and Beerhouse Act, 1869."

Resolution *reported*: — Bill *ordered* to be brought in by MR. STAVELEY HILL and MR. MUNDELLA.

Bill *presented*, and read the first time. [Bill 177.]

House adjourned at half after One o'clock.

HOUSE OF COMMONS,

Friday, 1st June, 1877.

MINUTES.]—PUBLIC BILLS—*First Reading*—Elementary Education Provisional Order Confirmation (London)* [179], and *referred* to the Examiners; Elementary Education Provisional Orders Confirmation (Cardiff, &c)* [178], and *referred* to the Examiners.
Withdrawn—Medical Act (1858) Amendment* [155].

PRIVATE BUSINESS.

TASMANIAN MAIN LINE RAILWAY BILL.—[*Lords*] (*by Order.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read the second time."

MR. RAIKES said, he had given Notice of his intention that after the second reading he should move that the Bill—which was unopposed—be referred to a Select Committee, of which four Members should be nominated by the House and three by the Committee of selection. The object of the measure was to authorize the raising of an additional sum of £50,000, with a view to the completion of the Tasmanian Main Line Railway, and it sought to obtain that sum by taxing the debenture holders, who had a guarantee from the Government of Tasmania to the amount of 10 per cent. But there were points in the scheme which did not appear to him altogether satisfactory. One was the absence of any adequate provision for the protection of the interests of the debenture holders, and the other the absence of any effectual provision for securing the application of the £50,000, when raised, to the completion of the line. Both these were important points which, he thought, should be submitted to the careful consideration of a Select Committee. The scheme was originally brought before the public by Mr. Albert Grant, and the contractors were Messrs. Clarke and Punchard. £650,000 had been raised, and in getting together that amount of capital an expenditure of £117,000 had been incurred. He did not desire to interrupt the progress of the Bill, but he thought it ought to be considered in the first instance by an experienced Committee.

SIR CHARLES W. DILKE asked whether there was any precedent for thus interfering with matters concerning a self-governing Colony?

MR. RAIKES said, the Bill was entirely a financial one. The Company, although carrying on the works in Tasmania, was an English Company, and the contractors were also Englishmen.

MR. KNATCHBULL-HUGESSEN suggested that, as they were about to establish a precedent, the further consideration of the Bill should be postponed for a few days. He also asked whether there was anyone in the House who was responsible for the measure, and could give some explanation of it.

MR. CHARLES LEWIS observed that the fact of the operations being carried on in a distant Colony was a mere incident in the case. The Company was an English registered Company, and as such was liable to the jurisdiction of our Courts.

LORD EDMOND FITZMAURICE moved the Adjournment of the Debate, on the ground that a Bill of so much importance, affecting as it did Colonial statutes, required consideration before it could be further proceeded with.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Lord Edmond Fitzmaurice.*)

MR. RAIKES accepted the proposal to adjourn the Debate, if that was the wish of the House. He did not think there was any substantial ground for fearing that the Bill would infringe upon the rights of the Colonial Legislature.

Question put, and *agreed to.*

Debate *adjourned* till *Friday* next.

QUESTION.

PARLIAMENT—ARRANGEMENT OF PUBLIC BUSINESS.—QUESTION.

MR. KNATCHBULL-HUGESSEN asked the Chancellor of the Exchequer, Whether it was the intention of the Government that the Universities Bill should be taken on Monday, and what would be the probable order of Business next week?

THE CHANCELLOR OF THE EXCHEQUER: Sir, it is intended to take the Universities Bill as the First Order of the Day on Monday next, and I hope we may be able to finish the Committee on the Bill that night. We propose on Tuesday to begin Morning Sittings, and the next Order after the Universities Bill is finished will be the Report on the Prisons Bill. If the Universities Bill is not finished on Monday, we shall take it as the First Order on Tuesday morning. I may also take this opportunity of saying that it would be for the convenience of the House that Public Business should henceforth begin at a quarter-past instead of half-past 4 o'clock, and that we propose it shall do so.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

HARBOURS ON THE NORTH-EAST COAST.—RESOLUTION.

LORD CLAUD HAMILTON, in rising to call attention to the Harbour Accommodation on the North East Coast; and to move—

"That, in the opinion of this House, the unprotected condition of the North East Coast, as regards Harbour Accommodation, demands the serious consideration of Her Majesty's Government,"

said, that there was no apology due from him to the House for bringing this subject before it for the third time, because a great maritime nation like our own must necessarily take a deep interest in the harbour accommodation on its coasts—an interest which was felt not only by hon. Members in that House, but by the general public outside. This question had often been brought before Parliament in the shape of the Reports of Committees and of Commissions; but successive Governments had managed on one excuse or another, mainly on the plea of expense, to evade carrying their recommendations into effect. The part of the coast to which his remarks would be directed was that which lay between Sheerness and the Firth of Forth, extending some 400 miles in length, and bordering some of our richest mineral and industrial districts. It appeared from the Report of the Royal Commission of 1859—and, indeed, it still remained as a matter of fact down to the present day—that, with the exception of the Humber and of Harwich, all the harbours along that coast were bar harbours, which could only be entered with safety at particular times of the tide and in moderate weather. When he brought this subject before the House in 1871, and again in 1873, he laid special stress upon that part of the Report of the Royal Commission of 1859 which pointed to Filey as being the place best situated on that coast for the construction of a national harbour of refuge, which would be of great advantage to our naval and mercantile interest. He had also ventured on previous occasions to lay before the House some of the statistics to which great weight was attached by that Commission, and he trusted that the House would permit him to refer to them again. It was stated in evidence before that Committee that there were five great coal ports on the North-East Coast, the average tonnage clearing outwards from them being 45 per cent of the whole coasting trade, and 32 per cent of the entire coasting and foreign trade together. 25 per cent of the wrecks of the United Kingdom occurred on this portion of the coast, which was only 1-36th of the whole seaboard of the country; and there was lost upon it annually property computed at the value of £1,500,000, and 830 lives. Happily, indeed, these proportions did not hold good now. While other portions of our seaboard were provided with ample harbour accommodation—sometimes from national sources, and sometimes from local sources aided by those of the nation—this large portion of our coast had not a single harbour which was available at all times of the tide and in all weathers for all classes of vessels. The Motions he brought forward on this subject in 1871 and 1873 were supported by many hon. Members in that House, but were opposed by the Government of the day, and especially by the right hon. Member for Greenwich, on the ground that, as the previous Government had passed the Piers and Harbour Acts to enable the local authorities to borrow money at a low rate of interest for the construction

and improvement of their harbours, it would not be fair or politic for Parliament to sanction the construction of isolated harbours at the public expense; and the right hon. Gentleman stated that it was contrary to the feelings of his Government to adopt what they felt would be an isolating policy. The right hon. Gentleman was supported in his objections to his proposal by the Representatives of the different ports on the North-East Coast; but the selfishness of such opposition was apparent upon the face of it. The result of that opposition, however, was that he was defeated twice—once by a large, and once by a small majority. Since the Commission of 1859 had reported, and indeed since 1871, the circumstances had to a certain extent changed. It was generally known that steam vessels were largely superseding sailing vessels; that larger vessels were displacing small ones; and that, thanks to the legislation of that House and to the supervision of the Board of Trade, vessels now put to sea in a better condition than they did formerly. Still the change had not been so great as might have been anticipated. Taking the Board of Trade statistics for last year, he found that whereas in 1866 we had 25,248 sailing vessels carrying 4,817,595 tons, in 1876 the number of such vessels was reduced to 20,506, and the tonnage to 4,195,430. On the other hand, we had in 1866 2,824 steamships, carrying 874,415 tons, and in 1876 we had 4,323 steam vessels, carrying 2,002,538 tons. Admitting that these figures showed that there was a decrease in the number of sailing ships, and a large increase in the number of our steam vessels, still could it be contended that this was not a matter that demanded the most earnest consideration in reference to the establishment of a harbour of refuge? It seemed to him undeniable that the still large number of sailing ships ought to have ample harbour accommodation provided. One of the strongest grounds on which the Committee which sat in 1857 urged the establishment of a harbour at Filey was that we had no Naval station on the North-East Coast; and in 1873 Lord Carlingford, speaking as President of the Board of Trade, said he must oppose his (Lord Claud Hamilton's) Motion, but that he believed the day was coming when the authorities of this country would feel it their duty to establish a naval harbour on the North-East Coast, and that it would serve for the purpose of a harbour of refuge as well. Was not the day coming when it was absolutely necessary that we should consider the question of establishing a Naval station on the North-East Coast? When he looked at the supremacy of this country at sea and its maritime interests, he thought he might safely say that the day was not distant when that question must be taken up in earnest by whatever Government held power in this country. From the middle of the last century up to a few years ago the base of our naval operations was always on the South Coast—France a strong naval Power, in close proximity to us, being looked upon as the only source of danger. At that time Portsmouth was our great naval arsenal and a refuge for our Fleet. Since then Plymouth and Portland breakwaters had been constructed, and he hoped that in a short time the new works at Dover would be completed and we should have there a safe harbour of refuge protected by artillery. We had, then, along our South Coast four great harbours which were capable of being entered at all times and by all vessels—and where our ships of war could be fitted with all modern appliances;—there was also the shelter of the breakwater at Alderney. But when we left the South Coast thus protected and turned to the North-East Coast, we found that it had not a single harbour along the whole of the vast stretch of coast from Sheerness to the Firth of Forth—400 miles—which could be called a harbour in the real sense of the term, nor a single harbour which could be used by the fleet as a coaling station. On the South Coast we had an agricultural country and villages and country towns; but the North-East Coast comprised some of the richest and most important of our manufacturing towns and districts—yet along this coast we had no naval harbour nor coaling station, no fortifications, no guns. From a Board of Trade Return it appeared that the traffic in the Tyne in 1875 was nearly £100,000,000, of which £20,000,000 was from Germany; and the shipbuilding in the same year was 38,000 tons. In the Humber the traffic was nearly £60,000,000, the traffic at Hartlepool was £42,000,000, and the traffic at Sun-

dorland £57,000,000; the value of the total trade at these four ports was £250,000,000. The value of the trade at Leith was nearly £14,000,000. We might be sure that an enemy at maritime warfare would attack the foreign trade of a seaport—especially when it was in an unprotected condition. In old days France possessed a Navy sufficient to require vigilance on our part; but no other country in Europe possessed Navies to cause us the slightest anxiety. Of late years, however, two Powers, Russia and Germany had grown up. He would briefly state the present strength of their Navies. The French Navy at the end of 1876 consisted of 391 vessels, including 52 iron-clads, 264 unarmoured screw-steamers, 62 paddle-steamers, and 113 sailing vessels; 94,000 horse-power and 2,973 guns. The German Navy consisted of 11 iron-clads, 20 frigates, 31 gun-boats and torpedoes, 4 sailing vessels—in all, 66 vessels; 70,430 horse-power and 478 guns—besides sailing vessels. Russia had 29 iron-clads; 9,210 horse-power and 184 guns. He did not assume that we were likely to be attacked by either of the two last named Powers, but it was necessary to keep in view what might happen and be prepared for any eventuality. If we had no fortifications on our North-East Coast, the ordinary mode of protecting that seaboard of 400 miles in case of war, would be the cruising about of a large squadron on that coast. In older days it was comparatively easy for England to protect her coasts, for a wooden ship for months, and sometimes for years, was able to cruise about without calling at any port, and at the end of that time was for warfare in as good condition as when she left. But all that was materially changed in the present day. At present, our Fleet consisted of heavy unwieldy iron-clads, with small coaling capacity, and possessing machinery so complicated that the slightest mistake often made it absolutely necessary that before they could be used for defensive or offensive purposes, they should be brought into harbour. Only yesterday a practical instance of that occurred in the accident which happened to the *Thunderer*. The coal-carrying capacity and consumption of these steamers was an important point which he wished to bring brfore the House. The coal-carrying capacity of these iron-clads was, he believed, from 800 to 900 tons; while the consumption at full speed sometimes reached 200 tons a-day. The *Alexandra*, one of the most powerful of our iron-clad fleet, carried 750 tons of coal, while her consumption at full speed was 200 tons a-day; that was to say, the *Alexandra*, on which we had staked so much, could not at full speed go a journey of more than four days, if quite so much. Surely to make a squadron of that class efficient it was necessary that it should have a base of operations at which the vessels could coal, where they could lie in bad weather, and from which they could issue at a moment's notice for defence or attack. Yet, at the present moment, we had not a naval station on the whole of the North-East seaboard, nor a harbour where the Fleet could coal with any degree of safety. Into the Humber a man-of-war could doubtless enter, but he would be a bold admiral who could take a squadron of iron-clads into the Humber, except in the finest weather for the purpose of coaling. He believed no admiral cruising upon the North-East Coast had ever taken a fleet into the Humber, so difficult was the entrance to that river. The result was, that he believed, that for the purpose of coaling when in the centre of that district, you would have either to go the Firth of Forth, or else to Sheerness; in the one case the base of operations would be 180 miles, and in the other 220 miles; and in going and returning to those points they would expend something like 200 tons of coal, and on getting back to the base of operations they would be short 200 tons of their full carrying power. But what would Germany, in the event of a war with us, be able to do? Germany possessed two harbours —one of them important—near our North-Eastern Coast; one of them at Bremerhafen and the other at Wilhelmshafen. The arsenal at Wilhelmshafen was fitted up with every modern appliance for the building, refitting, and re-victualling of ships. It could be approached in any weather by the largest vessels, and it was protected by the strongest fortifications. Wilhelmshafen was distant from Filey only 320 miles, and from the mouth of the Humber only 300 miles. In the case of war, Germany's centre point would be somewhere over the Dogger Bank, or only 120 miles from Wilhelmshafen. Thus, while the English base of

operations would be 200 miles away, the attacking force would have to go only 100 miles further to reach our coasts. With all our annual outlay on our Army and Navy, and with the vast expenditure we had incurred for fortifications, it was an extraordinary thing that we should have allowed that weak point for our defence to remain—especially considering the great wealth comprised within the district—unprotected. What, then, ought to be done in the circumstances? He maintained in his Resolution that the matter was one which should be taken into consideration by the Government, with a view to the construction of a naval harbour at Filey, as had been recommended both by a Committee of that House and by a Commission in 1859. Filey was admitted by all competent authorities to be the best possible site for a large harbour of refuge for our Mercantile Marine; it possessed the finest holding ground on that coast; and it had a natural breakwater half a mile in length; and for the moderate expenditure of a million sterling it could be converted into a harbour having five times the capacity of Dover, when the works there were finished according to the latest plans sanctioned by the late Government. Sir John Coode, who had given the matter his earnest consideration, was one of the few fortunate engineers who had succeeded in making a harbour—the great Breakwater at Portland—at a cost within his estimate. The works at Filey, originally estimated to cost £800,000, Sir John Coode said could be executed in a manner more suitable to meet the modern requirements of an iron-clad fleet for £1,000,000—a sum that would not be exceeded. Another point, as he had mentioned a few years ago, was that the question of convict labour would soon have to be taken up by the Government. The works at Portland on which convicts had been engaged for many years must now be nearly finished, and the Government would have to consider what was to be done with the large number of convicts—no fewer than 1,600—now employed at Portland. He was aware that civil engineers preferred skilled free labour to convict labour; and, no doubt, in executing great works the engineer might not be able to make the same profit if he had to use the latter. At the same time the convicts were now under the direction of a practical engineer of great ability, Colonel Du Cane, and in the case of a great work like that of Filey, where the stone was near and only wanted cutting, under the practical superintendence of such an engineer they might fairly employ convicts. There was another reason for the utilization of convict labour in such an undertaking. Complaints had been made—and perhaps justly—of the interference with certain trades through the labour of convicts in prison; and the grievance connected with that subject had lately been urged by the Trades Union Council. It would, therefore, remove a fertile source of complaint, if they could employ surplus convict labour in such an enterprize as he was advocating. But in dealing with a work of that great importance, it did not matter whether it was done by convict labour, or at a cost of £100,000 or £200,000 more. All he maintained was, that it should be done; and that if they had a naval station there it would also be a harbour of refuge for merchant shipping and the coasting trade. For many years the question had been before the House and the country, and for many years it had been shelved. He hoped, however, that the time had come when the Government would fairly consider it, and would get rid of the scandal which had arisen through a question of money being allowed to stand in the way of what should be the first duty of the Legislature—namely, the due protection of life and property. The noble Lord concluded by moving his Resolution.

MR. T. BRASSEY said, he had very great pleasure in seconding the Motion. When he remembered the perseverance and the ability with which the noble Lord opposite (Lord Claud Hamilton) had advocated that cause, he felt surprised that a proposal so deserving of acceptance had hitherto failed to obtain the support of the majority of the House. He believed the reason was that hon. Members who represented the principal ports and the shipping interest of this country had not been disposed to give much assistance to the noble Lord. Now, in all that related to the commercial aspects of shipping questions, he would readily defer to the advice of hon. Gentlemen representing the shipping interests. But when they came to deal with matters affecting the safety of life

Lord Claud Hamilton

at sea, he did not know that the advice of those directly connected with any particular industry should command such an unreserved deference on the part of hon. Members. The House certainly had not followed the advice of hon. Members connected with the mineral property of the country when it passed the Mines Regulation Act, neither had it followed that of the manufacturers when it passed the Acts establishing the half-time system. Yet they knew that both of those measures had been wise measures. The majority of the Representatives of the shipping interests in that House were owners of vessels of a class for the security of which it was not pretended that the proposed harbour at Filey was essential. He preferred to present the case to the House rather as a poor man's question. It was for the protection of the class of small sailing vessels that such a harbour was necessary; and although the pecuniary value of that class of vessels engaged in the Home trade was small as compared with the large capital invested in steamships, yet the trade carried on in the smaller sailing vessels was by no means inconsiderable or unimportant. There were engaged in our Home trade no fewer than 10,000 sailing vessels under 200 tons register—the class which would be protected in case of storms by the proposed harbour—manned by 35,000 seamen; while of vessels exceeding 200 tons register there were only 176, manned by 1,300 seamen. As a nursery for seamen, the sailing vessels which traded on the East Coast rendered great service to the country; and it might be good policy to afford them more protection from the severe North-easterly gales, so prevalent in the winter months. The Board of Trade had a great respect for political economy, as he himself had; but it was a hard, harsh, and somewhat horny-handed science, and no Government could legislate in strict conformity with its rules without provoking serious discontent. That works of the kind now proposed should be left to private enterprise was an argument that might be pushed too far, for many of the most beneficial undertakings in connection with our harbour accommodation—such as the Breakwater at Plymouth and the Pier at Dover—would never have been accomplished but for the Government. Certainly the Government enjoyed resources which no private company could command for the carrying out of the present scheme. It could employ, for instance, a large amount of convict labour, and he hoped the noble Lord's suggestion on the point would receive due consideration. Huts similar to those in use at Aldershot would afford sufficient accommodation for men during the summer season, and he ventured to think, therefore, that no objection on the ground of expense, to the employment of convicts in the construction of the proposed harbour works would be urged by the Government. The providing of a coaling depôt for our ironclads readily accessible from the stations in the North Sea in which they would cruise in the event of war was another important consideration. On a careful consideration of the many arguments that could be urged in support of the proposal of the noble Lord he was convinced that a harbour such as that proposed would be valued by the people of this country as an essential element of their national greatness.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the unprotected condition of the North East Coast, as regards Harbour Accommodation, demands the serious consideration of Her Majesty's Government,"—(*Lord Claud Hamilton,*)

—instead thereof.

MR. FRESHFIELD said, that he had no wish or intention to say a word in derogation of the case which the noble Lord (Lord Claude Hamilton) had so ably advanced in favour of the construction of a harbour at Filey. He was not himself officially connected with the East Coast of England, and had no sufficient information to enable him to form a judgment, still less one unfavourable to that which had been expressed by the noble Lord; but he could not listen to a discussion on the subject of constructing a naval harbour on the East Coast without reminding the House that there was an undertaking of that nature, pre-eminent in its importance to the interests of the country, which was still incomplete and unfinished. He need not say he referred to the harbour and works at Dover. Many years ago the Government of the day had deemed it necessary to construct a harbour in that locality, and had undertaken the execu-

tion of the pier called the Admiralty Pier at Dover, which was completed about 1873, and which had been found of so great advantage to the Channel traffic. That work, however, was but a portion of the whole undertaking originally designed by the Government, and it was found comparatively ineffective without the execution of the corresponding pier on the east side necessary to form the closed area of still water which was the principle of the work. The late Government took the subject into consideration, and were so impressed with the necessity of completing this work, that in 1873 they applied to the House and obtained a grant of money for the purpose. In 1874—the first Session of the present Parliament, a Bill was brought in by the Harbour Board of Dover, the local authority in communication with the present Government for the carrying out of these works; but the Government were so much impressed with the importance of having that work in their own hands, that by arrangement with the Harbour Board, their Bill was withdrawn on the understanding that the Government would take up the measure themselves in the next Session. Accordingly, in 1875, the Government brought in their Bill, which was submitted to a Select Committee of eminent Members of that House, by whom evidence of the highest authority was taken. The Committee reported in favour of the measure, but with a suggestion for an increase in the expenditure, which would give a much larger area of enclosed water at a comparatively small cost. In consequence of this suggestion the Bill was not proceeded with that Session; but it was understood that it was to be brought in the next year. In the year 1876, however, the measure was not renewed. The reason assigned for this delay was that the Government had too much in hand to enable them to undertake to bring in a Bill that Session; but it was fully understood that it would be recurred to in the next. This Session, however, the expectations in this respect were again disappointed, and the measure was now indefinitely postponed. He had heard no sufficient reason for this proceeding on the part of the Government; but he collected that there was a difference of opinion in the Government upon the subject. He did not wish to enter into any contrast between the scheme of the noble Lord and that he had referred to; but he could not help reminding the House that the undertaking, the policy of which the House had been called upon to affirm, was one which had not been discussed—that of the construction of the harbour at Dover had long since been settled and partly executed. He did not wish here to enter into a discussion of its merits, because the stage of inquiry on these points had long passed, but he must say that the existence of an enclosed harbour at Dover had long since been determined to be an absolute necessity to the defence of the country in case of war, and that all the considerations which had been urged upon the House by the noble Lord in favour of a harbour at Filey existed in a ten-fold degree in the case of the harbour at Dover. The noble Lord had referred to the fact that there was no naval harbour between Sheerness and Filey along the whole Eastern Coast; but he (Mr. Freshfield) would remind the House that there was no harbour between Sheerness and Portsmouth, and that the South Coast was the point at which England was most assailable. All our apprehensions had centred on the site of Dover, which was the narrowest point in the Straits of the Channel. Through those Straits a very large portion of the Commercial Navy had to sail. For their protection, as well as for our security against invasion, it was necessary that our Fleet should be constantly in that neighbourhood. The noble Lord the Member for King's Lynn (Lord Claud Hamilton) had shown that the armour-clads which constituted our naval defences could not hold the seas without steam power, and that they were unable to carry coals for more than five days. It was, therefore, vital that there should be at Dover a defended harbour into which our ships should be able to enter for the purpose of coaling and refitting, and in which they might lie in ambush and issue forth as occasion required. But he would not pursue his argument further, it was unnecessary to do so. He repeated that he had no wish to disparage the scheme of the noble Lord. The object for which he rose was to point out to the House and to the Government that the works at Dover were not only a subject of national interest,

but also a matter of Parliamentary obligation, and he would conclude his observations by urging upon the Government the duty that they were under to complete these works at the earliest possible moment, and the responsibility which they were incurring every day, especially in the condition of Europe, in delaying them.

MR. PEASE: The grounds on which I oppose the Motion are briefly stated in an Amendment of which I have given Notice, but which the Rules of the House prevent me from moving. These grounds are that—

"The harbour accommodation of the North East Coast of England has been and is being greatly improved by the operations of the various local harbour authorities, and that such further improvements as are required can be best effected through the instrumentality of such authorities, assisted by loans made under the authority of the Harbours and Passing Tolls Act and the Public Works Loans Acts, with such Amendments as experience has proved to be necessary."

In 1871 the noble Lord proposed that the recommendations of the Harbour Commission of 1858 should be carried into effect with regard to the harbour of Filey; in 1873 he limited his requirements to an inquiry into saving life; in 1875 he placed on the Paper a similar Notice to that which now appears; and he has come to the somewhat indefinite proposal involved in the phrase "the unprotected condition of the North East coast"—which may mean the unprotected state of that coast in case of war with foreign Powers, or its unprotected state with reference to a heavy north-east wind. Still, in each case the noble Lord is very consistent in his affections for Filey as being the great position for a national harbour. For my own part, I contend that there is no ground for putting forward Filey as having exceptional claims, whether as a harbour of refuge or a naval station, and that the expenditure which the noble Lord's proposal involves will simply be useless. The cost is put down in 1858 at £800,000; but it is more likely, from the present cost of labour and materials, to amount to £1,000,000 or £1,500,000. I aver that the money cannot be advantageously laid out on Filey Harbour, and there is no necessity for it. The position of existing harbours on that coast has of late altered very much for the better, and not for the worse, as the noble Lord would have us believe. Many of them have been greatly improved in regard to their area and depth of water, as shown by the larger class of ships which they admit and the protection which they afford to those ships. In these respects some of them are undoubtedly superior to Filey or Dover. If there is to be a great national harbour on the North East coast, it ought not to be at Filey or Dover. The best position for such a harbour is in the Tees Bay, between Hartlepool Heugh and the Tees mouth, as the most westerly point of the East Coast. But I will argue the question on all the grounds that have been mentioned: as a commercial harbour, as a refuge harbour, as a naval harbour; and I would ask, can this money be advantageously spent at Filey for any one of these purposes? As commercial harbours, the change which has taken place on the Tyne and Tees has been wonderful, and the same class of works has been also going forward at Hartlepool and Sunderland. I will trouble the House for a few moments with the actual figures of that which has been accomplished at these places. The River Tyne Commissioners have spent lately not £1,000,000, but upwards of £2,000,000 in these successful works. They commenced with 3 to 6 feet of water on their bar at low water spring tides; they now have 20 feet, with 15 to 16 feet rise of tide. In 1854, the ships frequenting the river averaged 149½ tons; in 1864, 190½ tons; in 1874, 16,737 ships, averaging 284½ tons. The tonnage of the Tyne was in 1854, 2,849,680 tons; in 1864, 3,491,948 tons; in 1874, 4,762,379 tons. In 1861 the Tyne had 246 ships between 500 and 1,000 tons, and 8 above 1,000 tons; in 1871 there were 4,542 between 500 and 1,000 tons, and 232 above 1,000 tons. To the end of 1850, in 13 years, the Commission had dredged 493,426 tons of soil from the bed of the river; during the next 24 years they had dredged no less than 51,214,300 tons in widening and deepening the Tyne. As a harbour of refuge the river is now undoubted. In 1866, 194 vessels took refuge, and did not pay commercial dues; in 1867, 255; in 1868, 322; in 1869, 402; in 1870, 402; in 1873, 558; in 1874, upwards of 1,000, and this continues. The North Pier of the Tyne is already advanced 2,250 feet, the pier on the south side of the mouth 4,000 feet,

when these are completed, there will be 30 feet of water at low tide with an entrance of 1,200 feet in width. There will be 1,100 feet of tidal wharf, with 18 feet of water at low water, and at Cobble Dene 900 feet of wharf, with 20 feet at low water. This will give a harbour of about 200 acres, with 5 fathoms of water at low water spring tides. The House may ask, how will this compare with our national habours? —most favourably at this depth of water: Alderney has about 80 acres; Dover, 122 acres; Holyhead, about 200 acres; Filey, as laid down by the Commission on Harbours of Refuge, about 170 acres—at this depth. But now, Sir, as regards the Tees, the same class of work, to a somewhat smaller extent, has been going on there. In 1854 the present Commission found a depth of about 3½ feet on the Tees bar. In 1875 that had become 10 feet. In 1877 it is 14 to 14½ feet. This has been accomplished by training walls on each bank of the river, of which there are about 20 miles, and by the removal of a large reef of rocks crossing the bed of the river, about 1¾ acres in extent, and which has been removed by the diamond boring machine of my hon. and gallant Colleague (Major F. B. Beaumont), one of the most successful engineering works of our time. In 1876, the ships that went in and out of the Tees were as follows:—Under 150 tons, 2,323 sail; under 300 tons, 1,010 sail; under 600 tons, 437 sail; under 1,000 tons, 78 sail; under 1,500 tons, 11 sail. Between 1854 and 1874, 5,014,671 tons of material were dredged out of the bed of the Tees. The southern breakwater has been run out 10,321 feet, in this 2,534,250 tons of material have been used. The Commission has spent on this work £128,675—of this £33,576 has been received from the ironmasters for depositing their slag. The revenue of the Tees Commission was, in 1853, £8,109; in 1876 it was £24,443. The Tees Commission have spent in their graving docks £25,000; they have sold land which bears interest for about £23,000; they have land to sell worth about £20,000; they will reclaim about £85,000 worth more. At Hartlepool the Public Works Loan Commission advanced the Port and Pier Commission £36,000 to carry out works there. I think, Sir, I have said enough to show that Filey would be no use as a commercial harbour, and that harbours of refuge are rapidly being provided without any charge on the public Revenue. And now, Sir, we will look at Filey as a harbour of refuge if made. In 1874, Lord Carlingford, then Mr. Chichester Fortescue, stated that in 10 years, ending 1871, from Flamborough Head to the Fern Islands 285 lives had been lost; and from Flamborough Head to the North Foreland 930 lives had been lost during the same period, and between the North Foreland and the Land's End, with Portland, Southampton, Falmouth, and Plymouth, as great harbours of refuge, 734 lives had been lost. In a previous debate, Mr. Milner Gibson stated that he had submitted this question to three most competent advisers, and they reported that a harbour of refuge at Filey in 10 years might have saved 15 lives and £28,000 worth of property, each case of wreck having been carefully examined. Then, Sir, this great harbour of refuge, to cost above £1,000,000 of money, would have saved 3 shipwrecks between 1862 and 1872. Well, Sir, I have examined the Wreck Returns since that day, and they show results still more damaging to this harbour of refuge. Along the whole of that coast, from the Fern Islands to Flamborough Head, the wrecks were as follows:—1870, 3 ships, 15 men; 1871, 8 ships, 54 men; 1872, 10 ships, 73 men; 1873, 1 ship, 6 men. But it is equally plain that this long length of coast is not so disastrous a one as the noble Lord would have us suppose. I have taken out the last year's Return that is in the Library ending July 1875: Fern to Flamborough, 3 ships, 12 men; Flamborough to North Foreland, 8 ships, 44 men; Foreland to St. Catharine's, 3 ships, 19 men; St. Catharine's to Start, 1 ship, 4 men; Start to Land's End, 2 ships, 13 men; Land's End to Hartland, 1 ship, 20 men, Hartland to St. David's, 7 ships, 53 men; St. David's to Skerries, 2 ships 9 men; Skerries to Cantire, 15 ships, 20 men. Now, Sir, I think I have proved that as a commercial or refuge harbour this harbour at Filey would save nothing and nobody. But we are told to-day that it is wanted for a naval and strategic harbour. I must ask the old question, who are we going to fight? We never hear now of our old natural enemy France. It is France the hon. Member for Dover has already called at-

tention to, and the manner in which Dover Harbour has been used, and the difficulties that environ those who trust in national harbours. I give my opinion with great diffidence—as these questions would be settled with difficulty by men of much greater experience than myself in these matters. But if this is to be a naval harbour, £1,000,000 of money will not do—a naval harbour requires the protection of such lines of forts as we have at Plymouth and Portsmouth, and which before they are armed cost some millions more—they must have barracks for soldiers and buildings for stores. But, Sir, I doubt whether this would be the place for such an establishment—as regards coals, the Tyne or the Tees would coal your largest man-of-war in a few hours. I have known a merchantman take 800 tons on board and go out of the Tyne on the same tide in which she came in—and, again, if it is a German war we have to provide for, I believe that Heligoland is within a hour or two's steaming—as near the North Foreland and the Thames as it is to Filey. In short, Sir, to sum up, there there are two policies before us—the noble Lord's policy, to spend the money of the country with a most doubtful result as to any good to life and property; and the policy which I think successive Governments and successive Parliaments have rightly arrived at, to spend no public money except such as advanced under the powers of the Public Works Loan Commission and the Act of 1861, and to make these harbours a national as well as commercial success. But, Sir, I fully admit with the noble Lord that the necessity for these harbours exists, though we may not agree as to where and how they are to be provided. I think that the terms of the Act of 1861, and of the Public Works Loan Commissioners also, are too confined and too stringent. I think that the old debts of these harbours should have some attention—on the Tees we have a new debt, which we are paying off principal and interest costing us 5 per cent per annum; and we have an old debt, borrowed from private parties, which costs us 4 to 4½ per cent, without any redemption being provided; it would cost the country nothing to take the old debt, so far as it applies to works which can be certified as needful and useful works, on the same terms as the more recent debt, the money both for the old debt and the new debt having been applied to identically the same works. Then, with regard to the Loan Commissioners. In the case of the Tees, in a recent case of application for further grants, they looked at the annual income as the only standard by which they were to settle the question of a further advance. They ignored the fact that the Commission of the Tees had a graving dock yielding revenue—had surplus lands—the extent of which I described—these they counted as no actual security for further advance. I would suggest that the Executive Government should have some discretion vested in them, as to the risk that the Public Works Loan Commissioners should run, in the case of these really national works. In conclusion, Sir, I think I must have said sufficient to prove that the noble Lord's Motion ought not to be supported by the House, and that it is much better to adopt that commercial and practical policy, which has for so long been received by Parliament, of paying for these works by the trade of the country, instead of taking money out of the pockets of the taxpayers for the purpose of establishing what after all can only be considered a doubtful good.

MR. BENTINCK said, he did not feel at all sanguine as to the success of the Motion of the noble Lord the Member for King's Lynn. Unfortunately, for many years past, the subject now under discussion had been treated with considerable indifference by successive Governments, and the best proof which he could offer of the correctness of that view was that a considerable portion of last Session was employed in discussing a measure, the professed object of which was to save life at sea, in the course of which almost every possible cause of that loss was eliminated from the inquiry. The motion of the noble Lord was based on two grounds; the saving of life and property at sea by means of the construction of harbours of refuge on the East Coast, where no good harbour at present existed. There could be no doubt as to the value of such harbours, and that their construction would tend to the saving of life and property. Those who were most competent to deal with the subject had pointed out Filey as the best part of the coast for that purpose, but he looked upon that as a minor part of

the question. The second object of the Motion was to provide a coaling harbour for the North Sea Fleet, and that was a point deserving of the most careful consideration. Reference had been made to the recent formation of new naval Powers. It was possible that we might find ourselves in collision with those Powers. Supposing such a contingency to occur as war between this country and either Russia or Germany, the whole of our Eastern seaboard, so far as regarded the coaling of ships and the repairing of our iron-clads, was unprovided for in the North Sea; and the whole of the coast, from Sheerness to the Frith of Forth, was without any efficient harbour for that purpose. That was a condition in which the country ought not to remain. Reference had been made to Dover Harbour; but those who were sanguine as to the completion of that harbour could not look forward to the completion for many years to come. It was not adapted to the purpose for which it was intended, and besides the site being objectionable, the cost would be so enormous that he doubted that it would ever be completed and placed in an efficient state for maritime warfare. The question under consideration was one of a very grave character, and one which ought to occupy the careful attention of the House and of the Government; and he thought they would act unwisely if they rejected the terms of the Motion which had been submitted to their consideration by the noble Lord.

SIR CHARLES ADDERLEY said, he could not be expected to accept the imputation that had been thrown out by the hon. Member for Norfolk (Mr. Bentinck) that there was no hope of carrying the Motion because the Government were indifferent about the saving of life at sea. His impression was quite the reverse. There was, in fact, no subject which the present Government had so much taken under their own care as the saving of life at sea. The Motion itself had been introduced by his noble Friend the Member for Kings Lynn with his usual ability, and in a manner which had commanded the attention and sympathy of the House. His speech had, however, somewhat surprised him, because the noble Lord had taken a different line from that which he had adopted in former years, and for which he (Sir Charles Adderley) had hardly been prepared from the language of his Resolution. The hon. Member for Hastings (Mr. Brassey) had ably seconded the Motion, but in a totally different sense, The hon. Member must be regarded as perfectly conversant with the resources of private enterprize in maritime affairs, and he had just returned from circumnavigating the globe in his own ship, navigated by himself, who bore the highest certificates for seamanship; and he had accomplished his enterprize in a manner which not long ago would have placed his name upon our national history, and even now it reflected honour upon the spirit of this maritime country. The argument of the hon. Member for Hastings was that with which the Motion had always been introduced by the noble Lord for the last 10 years—namely, that the interests of the country demanded the establishment of a harbour of refuge on our North East Coast. The noble Lord first brought the subject of a harbour of refuge on the East Coast before the House in 1871, and again in 1873. The subject had, however, been before the House for 20 years, and had not only formed the topic of frequent debates, but had been referred to Select Committees and Royal Commissions. The House had, however, invariably declined to accept the proposition now before it. He believed, indeed, that Lord Palmerston's Government was once defeated on this question; but the result was, not that the Motion was carried into effect, but that an Act was passed by Lord Palmerston's Government which was accepted by the country and acted upon—namely, that the construction of harbours of refuge should never be undertaken by the Government, but that they could be made and maintained much more usefully and effectually by the mercantile interests themselves. In consequence, the Piers and Harbours Loans Act was passed, which offered loans in aid to mercantile bodies to improve, enlarge, and create new harbours on the coast. The House had heard something of the enormous success of that Act; and one of the very harbours recommended by the Royal Commission of 1867 had since been made by the mercantile interests concerned. Harbours at other important points on the East Coast had also been constructed by the mercantile interests in the same way, and very large sums had been expended with signal

success under this Act. Did the House wish to reverse a policy so successful, and which had been adopted after so much debate? The Government had done something in this direction, but had it been so successful that the House could desire to see its operations extended? He was afraid not. He had himself seen the works at Alderney, which were begun at a time of panic and alarm. They were to be a check upon the works at Cherbourg; but they were a laughing-stock to the French nation, and all that could be done was to leave them to be gradually washed away, although they would remain a permanent record during the present generation against the principles of this Motion. He might go through other cases. He sympathized with the hon. Member for Dover (Mr. Freshfield) in the remarks he had made, but he was afraid the experience of Dover was not very encouraging. No doubt harbours of refuge were valuable—he only argued that it was much better to leave them to be made by mercantile bodies by the aid of Government loans. Suppose the Government made them, who was to maintain them? It was far more easy to make than to repair and sustain them. What was the object of harbours of refuge? It was two-fold—the protection of property and the saving of life. As far as the protection of property was concerned, no request had come from the mercantile community for the protection of their property. If harbours of refuge were to be made for the saving of life, then they must be made all round the coast. If one were made at Filey at a cost of £1,000,000, would not every other place on the coast make a similar demand? He did not know how many millions would be expended round the coast before every place was satisfied; nor did he see how the Government could decently get out of such undertakings if they ever embarked in them. When the noble Lord talked of the wealth along the East Coast he (Sir Charles Adderley) did not know that he had fortified his position, because that very wealth was able to do what was wanted so much better than the Government, and the interests concerned were certain moreover to do it if left to themselves. The hon. Member for Hastings had, indeed, spoken of the slack support given to the proposals of the noble Lord by the merchants on that coast; and that he (Sir Charles Adderley) looked upon as an additional reason why the Government should not take the work in hand. The proposition for making a harbour of refuge at Filey in particular could not be maintained, because Member after Member would get up to say that places in which they were interested had a prior claim. It was, however, a dangerous thing when the representatives of private interests came forward in that House to ask for grants of public money for local claims. The Reports of the Select Committees and Royal Commissions maintained that it was impossible to meet the claims for increased harbour accommodation by constructing works in any particular locality—they must be made all round the coast, and the difficulty was to settle where to begin. The noble Lord's Motion referred to the want of harbour accommodation, while his argument was this year directed to the want of a naval station. He (Sir Charles Adderley) was ready to admit that such a station might be valuable to the country; but, as the hon. Member for South Durham (Mr. Pease) had stated, it was not a question merely of building a harbour, but also of providing other necessaries to make the station sufficient for the purpose. If the station was wanted only in order that a squadron might run to it in case of stormy weather, then, perhaps, the million of money might be well spent. But he doubted whether it would be wise to spend so much. The Downs were not so very far off; and even supposing that they were not so available as Filey, it was a great question whether the House would sanction the outlay on Filey. The only other object would be for coaling. That, no doubt, was a most important part of naval warfare, and for that purpose the station might, perhaps, be most useful; but if it was also to be made available for stores, a very much larger outlay would be necessary. If the word "station" were taken in its fullest sense, he thought that the money might be much more wisely spent elsewhere; but so far as the proposal was a repetition of one made for several years past simply for a harbour of refuge, he thought he had shown sufficient reasons against the Motion.

MR. STEVENSON remarked that it was very satisfactory for the harbour

authorities on the North East Coast to hear the approval of the President of the Board of Trade of the services they had rendered in providing refuge accommodation. While the Government in these debates successfully resisted the expenditure of public money on a single refuge harbour on the ground that the true policy was that of aiding existing harbours by public loans at a low rate of interest, their good intentions were defeated by the stringent way in which the Public Works Loan Commissioners carried out the Harbour Loans Act of 1861. Government loans were always granted on the recommendation of some public Department; thus a loan for sanitary improvements required the recommendation of the Local Government Board; one for school buildings that of the Education Department; and, in like manner, harbour loans must be recommended by the Board of Trade. But the Commissioners entirely disregarded such recommendations when they thought proper, and thus the good intentions of Parliament and the Government were defeated. In their Tyne works, for instance, their piers and harbour improvements had cost upwards of £2,000,000, aided by Government loans to the extent of only £350,000, and last year's Report of the Commission showed that they only granted £70,000 on loan to two harbours, one in Scotland and the other in the Isle of Man. Under the Public Works Loans Act of 1875 the former appeal to the Treasury was taken away, and the harbour authorities were now in a worse condition in this respect than before. He did not question the right of the Commission to decide on questions of security for their loans; but he complained of their policy of refusing harbour loans in cases which were clearly intended by Parliament to be thus aided.

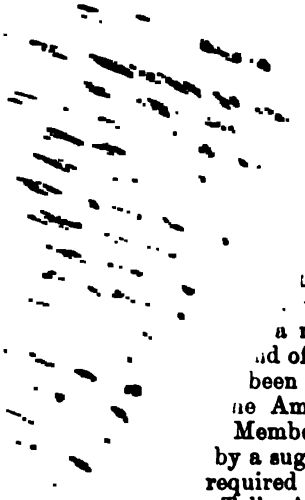
MR. HUSSEY VIVIAN said, that as a serious attack had been made by the hon. Member for South Shields on the Public Works Loan Commissioners, and their judgment had been called in question in a very decided manner, he begged to be allowed, as one of their body, to offer a short defence of their proceedings. He had been much alarmed by the speech of the hon. Member for South Durham (Mr. Pease), because he had proposed to throw upon the Commissioners a greater responsibility than they could undertake. The hon. Member said that the Commissioners took too stringent a view of their powers under the Act; but that was a groundless assertion. Certainly they had to guard the public interests, and to see that money lent was not lost; their powers did not enable them to make advances to mercantile undertakings as such, but to facilitate the making of harbours throughout the country; and it was quite clear that Parliament never intended to favour any particular class of mercantile undertakings. It was the duty of the Commissioners, when applications were made to them, to exercise their discretion; and it was because they had exercised that discretion that the hon. Member for South Shields (Mr. Stevenson) complained of them. If the Commissioners were to make advances to harbour authorities, simply as commercial undertakings, they might as well make them to railway companies and similar undertakings, which were equally for the benefit of the public. The Commissioners had to guard the interests of the public purse by seeing that the advances they made were likely to be repaid. [MR. PEASE said, he had not wished to throw any responsibility on the Public Works Loan Commissioners, but on the Executive Government.] If the Commissioners were to be ordered by the Executive Government to make advances it would be less trouble for the Chancellor of the Exchequer to draw a cheque upon the Bank of England at once. If it was in the power of the Commissioners to make advances, and it could be shown that the security was sufficient, they would always make them; but their view of the value of a security might be wholly different from that of applicants, who could not be taken at their own valuation. As to making advances on the security of tolls, the Commissioners could not take into account the prospective value of a port not created, which might not rise with the rapidity anticipated. The applications which the Commissioners rejected were for grants in favour of speculative undertakings, for the benefit of the trade of particular districts which could not offer sufficiently good security. Where the security was good money could always be obtained even in the open market, though perhaps at higher rates. He (Mr.

Vivian), like the hon. Member for South Durham, was a trustee of one of the most important harbours in this country, and had carried out very large works indeed. They had borrowed £500,000 for that purpose, and were now borrowing £300,000 more; but they had never found any difficulty in the matter. So long as harbour authorities had substantial property to offer as security they could borrow money in the ordinary money markets at commercial rates of interest if their securities were good, or from the Commissioners if their case was good. No advances had given the Commissioners more anxiety than those they had made to harbour authorities, and Parliament must be careful before it cast upon them further responsibility in this direction. The Public Works Loan Commissioners had discharged the duties cast upon them by Parliament honestly, to the best of their ability, and with a proper and wise discretion; and he was certain that whenever they felt competent to advance money they had done so, to the extent they thought themselves warranted in going; but when they were asked to take prospective profits and returns as security, they felt that their duty to the public required them to reject such proposals.

MR. MAC IVER thought his hon. Friend the Member for Hastings (Mr. Brassey) was a little too hard upon shipowners. No shipowner had yet had the opportunity of taking part in the debate; but he (Mr. Mac Iver) had from the first been wishful to support the Motion, precisely on the grounds so well urged by the hon. Member for Hastings. He did not regard it as a commercial question at all. It was the case, rather, of poor men against richer men; of small coasting vessels against railways and steamships, and against the powerful interests represented by the last speaker. Any increase in the number of harbours of refuge on the East Coast, or elsewhere, would, no doubt, affect prejudicially certain commercial harbours; and that partly explained some of the opposition to this Motion. The argument of his hon. Friend the Member for South Durham (Mr. Pease) was an extraordinary one. That hon. Member pleaded that private enterprize was already doing most valuable work in improving existing harbours, and in providing harbours of refuge, with which it would be wrong to interfere; and the next minute he (Mr. Pease) produced figures intended to show that, after all, there was very little loss of life which harbours of refuge could prevent. That kind of argument was inconsistent with itself, and he would not attempt to reconcile the hon. Member's figures with those given by the noble Lord who moved the Resolution; but he (Mr. Mac Iver) remembered perfectly well certain official records published by the Board of Trade —the Wreck Charts — and that those showed an enormous number of casualties on the North-East Coasts. He (Mr. Mac Iver) thought those casualties were mostly to small coasters, and that they did not arise from unseaworthiness, as many people supposed, but that they were due rather to the inherent dangers of the trade; and that those were dangers which harbours of refuge would do a great deal to remove. At present—not merely at Filey but on other parts of the coast—there was no place where small vessels caught in a sudden gale could run to, and there were many sad disasters in consequence. He had listened to the speech of the President of the Board of Trade with much regret, because he knew how sincerely that right hon. Gentleman desired to do what was right in everything; but he felt that the right hon. Gentleman was still following the mistaken path of his Predecessors in office. He (Mr. Mac Iver) thought that Lord Carlingford and Mr. Milner Gibson were neither of them safe guides to follow in matters relating to shipping. The Board of Trade view of the position was quite untenable. Harbours of refuge would never be provided by the commercial interests, simply because the interests of the great and influential traders lay in the contrary direction; but the nation had an interest in the question, and it was he (Mr. Mac Iver) thought of national importance that the small coasters should be encouraged. They were almost the only vessels which really trained seamen, and trained seamen were every day becoming scarcer as compared with the number of people calling themselves sailors. In conclusion, he desired to say a word on the naval part of the question. The noble Lord was, he (Mr. Mac Iver) believed, quite accurate in stating that the fast ships in the Navy were, many

of them, unable to carry coal for more than a few days' burning at full speed. But at a moderate speed the same coal would last much longer, and as regarded the *Alexandra*—the particular vessel instanced by the noble Lord—she, he (Mr. Mac Iver) thought, was furnished with what all the fast ships of war ought to have—namely, auxiliary engines—"turning engines," as they were called—which would propel the vessel at moderate speed for cruising purposes on comparatively trifling fuel consumption. But even with arrangements of this kind in all the ships, a harbour of refuge at Filey would not be without advantage as a naval coaling station; and, therefore, on every ground he desired cordially to support the Motion.

MR. DODDS said, he thought the hon. Gentleman the Member for Glamorganshire (Mr. Hussey Vivian) had entirely misapprehended the purport of the observations made by his hon. Friends the Members for South Durham (Mr. Pease) and South Shields (Mr. Stevenson), with reference to the operations of the Public Works Loan Commissioners, and the manner in which they had discharged their highly important and responsible duties. There was a general opinion amongst those acquainted with the subject that the Commissioners took a somewhat narrow and contracted view of the powers conferred upon them by Parliament. His hon. Friend the Member for Glamorganshire had spoken of the Harbours and Passing Tolls Act, 1861, as if it had reference solely and exclusively to works of refuge, but he (Mr. Dodds) took the liberty of saying that that was an entire misapprehension, as his hon. Friend would admit if he would carefully read and consider the Act itself. The fact was that the words "harbours of refuge" did not occur in the Act at all, and that what the Commissioners might make advances for were constructing, improving, maintaining, or lighting any public harbour, or for carrying into effect any other shipping purpose. Now, those words, as the House would observe, were of a very general and comprehensive character, and he (Mr. Dodds) thought admitted of a much wider interpretation than the Public Works Loan Commissioners in many cases had put upon them. It was clearly laid down, however, by the Act that loans could only be made for a public harbour, and the contemplated works must be works of a public character. His hon. Friend, therefore, could not properly compare harbour authorities desiring to obtain loans with railway companies or canal companies. No doubt in these cases, as in the case of public harbours, the works contemplated might be of public utility and general convenience; but the primary object of the railway companies and canal companies was to benefit the shareholders, and their undertakings consequently stood upon a very different footing from public harbours, where no personal interests were involved in promoting their construction or improvement. He might illustrate the views of his hon. Friends near him as to the course taken by the Public Works Loan Commissioners by what had occurred in the case of the Tees Conservancy Commissioners with reference to their graving dock. These gentlemen had been urged to construct a graving dock, which was much required for the purposes of the trade, and, not least, for vessels that had suffered damage and sought refuge in the Tees, and they resolved to construct such a dock; and they applied to the Public Works Loan Commissioners to lend them the needful amount—about £30,000. To their astonishment, however, the Commissioners held that a loan for the construction of a graving dock—which he confessed seemed clearly to be a shipping purpose within the very words of the Act—could not be entertained, and was not within the powers conferred upon them by Parliament. Cases somewhat similar had occurred elsewhere. He (Mr. Dodds) had no doubt the Public Works Loan Commissioners had been advised, and had given their careful consideration to the subject, and had *bonâ fide* arrived at the conclusion they had expressed; but he Mr. Dodds) and other Gentlemen interested had also considered the Act, and thought the Commissioners did possess power to make advances for such purposes, and hence the remarks of his hon. Friends near him. Then, again, the Public Works Loan Commissioners appeared to act upon the principle that they must only accept a security based upon actual surplus income, disregarding altogether other assets and property of the borrowers. Acting upon this principle, they appeared in the case of



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re-borrow such moneys from the Public Works Loan Commissioners at a moderate rate of interest. He entirely approved of the policy of the Act that no advances should be made except for public harbours and for works of public utility. The requirement of the approval of the Board of Trade was also very reasonable and proper, and one in which harbour authorities very readily acquiesced. Then the Act provided that in respect of advances not exceeding £100,000 the rate of interest should be 3½ per cent, but for sums in excess of £100,000 such higher rate of interest not exceeding 5 per cent as the Commissioners might determine. Now, seeing that the money was required for public harbours of public utility, he could not understand why the State should be placed in the position of making a profit out of loans for such purposes, and one of the Amendments he would suggest in the Bill was to limit the rate of interest to such an amount as would recoup to the State the sum advanced with interest without any loss. Then the Act required that all moneys borrowed should be repaid within the period of 50 years, and usually the repayment commenced at the expiration of six months from the date of the advance. The consequence of this was, that in many cases repayment began long before the work was completed, and before any possible advantage could be derived from it; and in cases where money was being expended on a breakwater, as at the entrance of the Tees, a work that would last for centuries, it was a little hard that repayment should commence at the end of six months, and that the whole should be repaid in 50 years. He would, therefore, suggest that money expended upon works of that kind, and others of a very permanent character, should be repaid over an extended period, and that repayment should not commence until the works were completely executed and benefit derived from them. These were some of the most important Amendments which he would suggest for the consideration of Her Majesty's Government whom he knew were giving the subject attention. With regard to the noble Lord's Motion, he (Mr. Dodds) expressed the general feeling of hon. Gentlemen connected with the North East Coast of England when he said that they all most heartily sympathized with him in his most praiseworthy object, that of saving life and property at sea, and they only differed with him because they believed that the establishment of a large harbour of refuge at Filey, at a cost to the nation of upwards of £1,000,000, would not in any effectual degree promote that object. The noble Lord had brought the subject forward again with his accustomed ability; but in common with other speakers, he (Mr. Dodds) must be permitted to express his astonishment at the line of argument the noble Lord had on that occasion adopted, and which differed so materially from the course he had pursued on former occasions when he had brought this subject under the consideration of that House. He had on this occasion argued the question in connection, first, with a great naval harbour, and next with reference to the saving of life and property at sea; and it was with reference mainly to this aspect of the case that the Motion was seconded and supported by his (Mr. Dodd's) hon. Friend the Member for Hastings (Mr. Brassey). Now, he would trouble the

House but very briefly with reference to the first of the objects of the noble Lord—namely, the establishment of a great naval harbour. Whenever that subject was really brought seriously under the consideration of that House, and the House was asked to express an opinion upon it, the noble Lord would find that even for such a purpose Filey Bay did not afford the most suitable site. The noble Lord had urged as reasons for establishing such a naval harbour, the unprotected condition of the great commercial towns and ports of the North East Coast of England, embracing those within the Tees, Wear, and Tyne, and the Hartlepools; and he had quoted statistics showing the magnitude and importance of their trade and commerce, which must have greatly astonished those who heard them and who were not already well acquainted with the facts of the case. But surely, if these most important districts and great commercial emporiums required to be protected by a great naval harbour, it would be a most unwise proceeding to construct such a harbour at such a distance as would render it practically valueless for such a purpose, and the House must remember that Filey Bay was 60 miles from the nearest (the ports of the Tees), and about 100 miles from the ports of the Tyne, which were the most distant of the places to which it was argued protection ought to be afforded. And now he would beg to refer, as briefly as possible, to the other and principal object of the noble Lord, and that upon which he had on previous occasions mainly insisted—namely, the saving of life and property at sea. He (Mr. Dodds) did not often address the House, and should not do so at any length on the present occasion; but he was thoroughly conversant with the subject, and must ask the indulgence of the House whilst he made the few observations he desired. He was, perhaps, the only Member of the House who, in 1858, attended several of the sittings of the Royal Commissioners at Tynemouth, Hartlepool, Redcar, and elsewhere, and who gave evidence before them, and he had been, and was, thoroughly conversant with all that had since transpired on the subject. He was by these means enabled to speak on the subject from his own recollection and experience, and without the necessity for troubling the House by quoting extracts from Blue Books. Now, with regard to Filey, it was an undoubted fact that the recommendation of Filey was one that was not only not generally acquiesced in at the time, but, on the contrary, was very generally condemned and disapproved of by the leading shipping authorities of the ports principally interested—namely, the ports of Tees, Wear and Tyne, and the Hartlepools. And he took leave to say, notwithstanding what fell from one hon. Member in the debate, that those gentlemen not merely understood their own interests and the requirements of their district, but that they were fully sensible of their duty to those in their employment, and by no means slow to discharge it. But had the case of Filey been a strong one in 1858, instead of the weak and shadowy one it then, in the opinion of most competent persons, was, he submitted that the circumstances had in the meantime totally changed in many most important particulars, and that, had there been any necessity for such a harbour in 1858, such necessity no longer existed. In the first place, during the period that had since elapsed a complete revolution had been effected in the carrying shipping trade of the United Kingdom. In 1858 the greater part of the trade was conducted by sailing vessels alone, and there were comparatively few steamers. Since that time there had been a gradual and progressive increase of screw steamers, and those principally of a large class. The screw colliers from the northern ports were constantly increasing in number, whilst the old tub colliers were gradually, but surely, disappearing from the face of the ocean. In their Report of 1859 the Royal Commissioners stated that they frequently heard of 700 vessels being at anchor in Bridlington Bay at one time, and that many hundreds of vessels were not unfrequently seen together from Flamborough Head. The evidence of 1858 clearly showed that Bridlington Bay was one of the largest and best anchorage grounds on the shores of Great Britain, and that nearly 1,000 sail of coasting vessels could ride there at one time. But that state of things was now entirely changed. They might stand for a day on the summit of the lighthouse at Flamborough Head, or on Speeton Cliffs, and never see half the number of wind-bound ships that used

to be seen in, and prior to, 1858. The old colliers to which he had referred, when caught in a gale, sought such shelter as Bridlington Bay or Filey Bay afforded; but the screw steamers of the present day, when overtaken by a gale, rarely sought shelter, being almost independent of wind, and able to reach their ports in safety in a few hours. That fact—namely, the gradual and progressive supersession of wooden colliers by screw steamers—formed, independently of other considerations, a substantial and, he thought, conclusive and sufficient reason why the recommendation of 1859 as to Filey should not be acted upon. The noble Lord, in his very able speech, had himself admitted that a considerable change had taken place in the carrying shipping trade of the country, and he had given statistics from the Board of Trade Returns, but those referred to the United Kingdom, and not to England alone. He (Mr. Dodds) begged to quote from the annual statement of Trade and Navigation for England a few figures for the years 1859 and 1875. He did not propose to trouble the House with any elaborate detail, but merely with the aggregate results. In 1859 the number of sailing vessels under 50 tons was 7,004, of the aggregate tonnage of 218,543 tons, whilst in 1875 the number had diminished to 6,505, and the tonnage to 208,987; a total decrease of 469 in ships, and in tonnage of 9,586. Above 50 tons the number of sailing vessels in 1859 was 12,814, and the tonnage 3,153,777, whilst in 1875 the number had diminished to 10,144, and the tonnage to 3,005,914 tons, being a decrease in number of 2,370 and in tonnage of 147,763. The aggregate number of sailing vessels in 1859 was 19,078, and the tonnage 3,372,320, whilst in 1875 the number was 166,491, and the tonnage 3,214,871, the aggregate decrease in number being 2,929, and in tonnage 157,499 tons. With regard to steam vessels, there were in 1859 654 under 50 tons, with a tonnage of 1,469, whilst in 1875 they had increased to 971, with a tonnage of 20,247, an increase in number of over 50 per cent, and an increase in tonnage of nearly 40 per cent. The most marked increase was, however, on the larger class of steam vessels, the number above 50 tons in 1859 being 800, with an aggregate tonnage of 307,286 tons, whilst in 1875 the number had increased to 2,174, and the tonnage to 1,457,134. The total tonnage of steam vessels had thus increased from 321,479 tons in 1859 to 147,381 in 1875, something like between 400 and 500 per cent. These figures, in his (Mr. Dodd's) opinion, were entirely conclusive. The Returns for 1876 were not yet published, but they would show a progressive increase in steam and decrease in sailing vessels; and everyone practically conversant with the subject must confess that the tendency was more and more in that direction day by day. But the strongest and most powerful argument against constructing a harbour of refuge at Filey at the present time was afforded by what had been done by the various harbour authorities. His hon. Friend the Member for South Durham had already spoken fully and truly of the successful efforts of the Tyne Conservancy Commissioners, and he had likewise referred to what had been done at the Hartlepools and the Tees. He (Mr. Dodds) could fully endorse all his hon. Friends (Mr. Pease and Mr. Stevenson) had said with reference to those matters, and he would add that the Wear had also been very greatly improved; but he should like to trouble the House for a few moments with some further details respecting the condition of the River Tees, with which, from his official connection with it and its governing body, he was necessarily best acquainted—when, before the Commissioners in 1858, the local harbour authorities of the North—the Tyne, Wear, Tees, &c.—opposed the construction of a large harbour of refuge at Filey, and declared themselves in favour of the improvement of existing harbours. For the reasons he had already given, he did not trouble the House by quotations from the evidence, the general effect of which was what he had just stated. At that time the harbour authorities of the North indicated the course they intended to pursue, and since 1858 they had not been idle; and they were now able to point, and point with legitimate pride, to the result of their prognostications and of their labours, and from the past to augur hopefully of what would be eventually realized from their further operations. Much had already been done by these several harbour authorities; but very much yet remained to be done, and in their efforts they had

strong claims upon Her Majesty's Government. With regard to the capability of the Tees as a harbour of refuge, his hon. Friend (Mr. Pease) had already spoken. When the Royal Commissioners presented their Report, the minimum depth of water upon the bar was between three and four feet, and the consequence was that at certain times of the tide no vessel whatever could enter the Tees, either for refuge or otherwise. In addition to this, the estuary at this time was nearly four miles wide, and consisted mainly of broken water spread over the sand banks called North and South Gares. Now, by the construction of the breakwater, already considerably advanced, that width had been greatly reduced, and eventually the four miles of shoal water, which could only be approached with an almost certainty of loss of life and property, would become a fixed channel half a mile wide, with a minimum depth of water at the present time of nearly 15 feet at dead low water. They never had less than about 15 feet of water now, and that only for four hours out of the 24; whilst for other four hours there was a depth of 20 feet, for other four hours at least 25 feet, and for the remainder of the 24 hours from 25 to 30 feet. His hon. Friend the Member for Hastings (Mr. Brassey), in seconding the Motion of the noble Lord, had said that he supported it for the protection of the small class of sailing vessels, and he quoted figures which he (Mr. Dodds) confessed somewhat surprised him. Knowing how accurate his hon. Friend was, and how great was his authority on every matter connected with shipping, he readily, however, accepted the figures he had quoted. His statement was that the number of sailing vessels in the United Kingdom under 200 tons burden was 10,000, employing 35,000 men; whilst the number above 200 tons was only 176, employing 1,300 men. He accepted these figures as given by his hon. Friend, who had since privately admitted to him that the 10,000 vessels under 200 tons burden would have a draught of water averaging about 10 feet. What, then, was the result? Why, that everyone of these small vessels to which his hon. Friend had referred, and for the protection of which his hon. Friend supported the noble Lord's Motion, could enter the Tees on every day in the year, and at all times of the tide, even at dead low water. [Mr. BRASSEY: But what would be the result in the case of an on-shore gale?] Why, that even in an on-shore gale, unless, indeed, in very exceptional circumstances, everyone of the vessels in question could run into the Tees, and anchor in the most perfect safety! He had no doubt whatever that nearly all the larger vessels to which his hon. Friend referred could also, during the greater part of the 24 hours, enter and leave the Tees in perfect safety. He (Mr. Dodds) could not help feeling that had his hon. Friend been aware of the facts, he would have felt that the case of the noble Lord for a harbour of refuge at Filey had been anticipated by operations such as those of the Tees Conservancy Commissioners. With all these changes that had taken place, and seeing that everything possible was being done by the local harbour authorities for the protection of shipping on the North East Coast, he thought the noble Lord must feel that the time had come when, so far as the saving of life and property connected with sailing vessels was concerned, the advocacy of a general harbour of refuge at Filey Bay had become unnecessary; and if the question of a great naval harbour were brought forward, it must be advocated on different grounds from those which had ever been put forward by the noble Lord and his supporters. He thought, with the facts he and others had given before it, the House would be slow to adopt the Motion of the noble Lord; and whilst sympathizing with him entirely in the objects sought to be accomplished, he dissented entirely from his proposed mode of dealing with them, and trusted that the House would reject the Motion by a decisive majority.

MR. D. JENKINS: I rise to support the proposed Amendment of my hon. Friend the Member for South Durham (Mr. Pease). The noble Lord opposite (Lord Claud Hamilton) stated that there was not a single piece of modern ordnance mounted on the East Coast of England between Harwich and the Firth of Forth; but you have on that coast what is far more effective for its defence—namely, a coast which is almost inaccessible to ships of war of large tonnage, protected as it is by numerous sandbanks, which fringe the coast for almost the entire distance between the

Firth of Forth and the mouth of the Thames—so that a few torpedoes put down here and there would make it unassailable by any enemy. I do not, therefore, think that any Government would entertain the idea of having a naval station on that coast. As regards a harbour of refuge, it has been shown by the hon. Member for Stockton (Mr. Dodds)—and I endorse his statement—that the coasting trade of this country is rapidly changing; and instead of its being carried on by vessels of small tonnage, screw steam-vessels are taking their place, and will ultimately supersede them altogether, and this description of vessel does not require the protection of harbours of refuge. For the reasons I have given, I cordially support the Amendment which the hon. Member for South Durham has placed on the Paper.

CAPTAIN PIM said, that he accepted the challenge of his hon. Friend the Member for Falmouth (Mr. D. Jenkins). He (Captain Pim) had had exceptional experience on our North-East coast; having been stationed in the Tyne as senior naval officer he thought he knew the coast pretty well, and of this he was certain—that from the Firth of Forth to the Humber there was not a single harbour where an iron-clad could coal. Now, it was well-known that our iron-clads could not sail in company with safety, and could not beat off a lee shore, much less blockade an enemy's coast; our very best naval officers agreed that they could not be relied upon at all under sail; it was clear, therefore, that they were of use only under steam, and if that were so they must have coal. Some of these useless vessels required eight or nine tons of coal an hour, and in the event of war would have to be filled up with coal very frequently. Now, he repeated that there was not a single place where an iron-clad could coal from the Firth of Forth to the Humber, and if our iron-clads had to cruise in the North Sea such a port would be absolutely necessary. He was surprised to hear the Downs spoken of for such a purpose, for an active enemy in the absence of our ships from the North Sea could with ease destroy millions worth of property in 24 hours. Surely such a state of affairs deserved serious consideration, and he should therefore cordially support the Motion of the noble Lord the Member for King's Lynn (Lord Claud Hamilton).

GENERAL SIR GEORGE BALFOUR: Mr. Speaker, every hon. Member of this House, interested in harbour improvements, may vote for the Motion of the noble Lord the Member for King's Lynn (Lord Claud Hamilton)—

"That, in the opinion of this House, the unprotected condition of the North East Coast, as regards Harbour Accommodation, demands the serious consideration of Her Majesty's Government."

To this I cordially assent, extending it to the whole coasts of the United Kingdom. But the noble Lord's speech restricts the proposition to harbour operations at Filey, as a station for a great naval harbour. No doubt its intended capacity and its proposed depth of water admit of its being used as a refuge; but the conditions involved in a military harbour are very wide. Moreover, the unfavourable results of the inquiry, as to the suitableness of Dover as a naval harbour, render it necessary to pause before accepting the assertion that Filey is suitable for a central harbour. No doubt, the Select Committee of this House (of 1857 and 1858) on Harbours, did recommend Filey, stating that "it merits further investigation." It is, however, admitted to be suitable for a fishery station, a good fishing ground extends on each side, 30 miles north and south. The Dogger Bank is from 30 to 35 miles distant from the coast, and still affords a good supply of fish. Between this bank and the coast, shoals of herrings pass. If a harbour could be constructed at Filey, at a moderate outlay, to allow of fishing boats running to it for refuge, the money might be advantageously laid out. It is also known that the Royal Commission on Harbours also named Filey as a suitable site for a refuge harbour, and advised an expenditure on its construction of £800,000, as a Government grant. But further inquiries are necessary before incurring any liabilities for this larger work. *The North Sea Pilot* states that—

"Filey Bay has often been spoken of as a site for a harbour of refuge, it having in the 'brig' a breakwater half formed, but the bay is too shallow for any but small vessels," and "that no vessels should remain in it with the wind to eastward of north-north-east."

The harbour suitable for that site is, therefore, one that would be adapted

for the largest of our fishing vessels. The President of the Board of Trade states that the raising of funds for harbour constructions should be left to private enterprize, supplemented by Government loans. But he forgets that the Acts of Parliament limit the powers of the Public Works Loan Commissioners to loans on good securities, and these powers are further narrowed by their interpretation. Even this limited aid would not, however, be available for Filey; which, like many other sites has, at present, no securities to pledge for the loan. We have listened this evening with great interest to the glowing, but truthful description of the vast improvements carried out and still in progress in the Rivers Tyne and Tees. Great approval has also been expressed by the President of the Board of Trade, of the spirit of intelligent enterprize, and the self-reliance shown by these communities, in providing the funds necessary for executing these great works. But these improvements have largely developed extensive resources of wealth, and enlarged our manufacturing industries connected with coal and iron. Without these aids, the money that has so wisely been spent, could never have been furnished. It is for poor localities that the aid of Government is mainly needed. Moreover, these river improvements are very different from the works so much required on our exposed coasts. The kind of skill and knowledge needed for improving tidal harbours differs very considerably from that needed for coast harbours. Also, whilst river improvements may on the whole be said to have been successful, the attempts to form harbours on our exposed coasts have either been complete failures, or have fallen short of expected results. In a few days hon. Members will receive a Return of all moneys expended on coast harbours since the first year of this century. Out of about £10,000,000 of public money spent by Government, there are but few coast harbours either made, or usefully improved. I urge Government, before deciding on Filey, or on any other sites, to obtain reliable information, not only as to the suitableness of the localities, but also as to the best designs for harbours, and as to the details of construction—these last two inquiries being extended not only to the United Kingdom, but to foreign countries—and to include not only successful, but also unsuccessful works, of which there are so many examples on our own coasts. The great North Sea Harbour of Holland is an example of success that merits the special attention of our statesmen and merchants. This harbour, with its inland canal of 15 miles, converts the inland town of Amsterdam, already a great and wealthy financial centre, into a great sea-port, and a vast commercial emporium, not only for Holland, but for the Rhenish provinces of Germany, and as soon as the St. Gothard Railway is completed, even for Italy. This harbour is formed on the Dutch sandy shore, exposed to the full force of the winds and the waves of the German Ocean. There are few localities on our own coast more unpromising; and yet the harbour has been successfully completed, at the cost of about £1,500,000—less than has been wasted on several of our failures. The designs for the harbour, prepared by the Dutch engineers, were modified skilfully by Sir John Hawkshaw; to this modification, aided by the skill of Mr. Gregory Hutton, the executive engineer under the contractors, Messrs. Lee and Sons, the successful results are mainly attributable. The harbour design is simple; it has an area of about 300 acres, with a possible depth of water of nearly 27 feet throughout. The piers extend from the sandy shore into the sea, to a distance of 1,500 yards; are nearly parallel for a length of 1,200 yards, gradually closing in, until the mouth is only 280 yards wide, but terminating in the open sea, in a depth of 28 feet of water. Through this narrowed entrance the ocean waves roll in unbroken, and lose force so entirely by expansions within the wide area of the harbour that the water at the mouth of the canal which joins the harbour is perfectly smooth. Through this canal channel the largest vessels proceed to Amsterdam, where further changes are in progress, to meet the requirements of the expected extension of shipping and trade. We have nothing on our coasts to compare with this grand Dutch enterprize, and yet our shipping interests have greatly extended since the inquiry into our harbour wants by the Select Committee of 1857. In that year, the tonnage of vessels cleared and entered amounted to 28,000,000 tons, and in 1875 to 46,000,000. The tonnage of the coasting trade was in the former period, 27,000,000 tons; in 1875 it had increased

General Sir George Balfour

to 39,000,000. The tonnage of vessels, steam and sailing, built and first registered in 1857, was 250,472 tons, and in 1875 as much as 420,551 tons. The men employed in 1857, exclusive of masters, were 176,387 in number, and 199,667 in 1875. It was mainly on the ground of the large increase in tonnage and sailors in 1857, as compared with those of 15 years previously, that the Select Committee of 1857 based their recommendation for the improvement of harbours, and for the Government to make a free grant of £2,000,000 to aid in their construction. The Royal Commission in 1859 advised this grant to be increased to £2,363,000, for some harbours as entire contributions, and for others, in aid of local contributions to be raised to the extent of £1,625,000. Nearly 20 years have passed since then, but not a fraction has yet been given. The powers of the Loan Commissioners were, consequent on these recommendations, specially enlarged, under the Harbour and Passing Tolls Act of 1861, to aid by loans the construction and improvement of harbours. But in the course of 16 years the Commissioners have actually lent less than the grant—that is, only a little above £2,000,000. Even of this capital a portion has already been repaid, with interest in full, for the entire loan. Not a fraction has been struck off as lost. The Government have, however, benefited, having received interest at higher rates than paid for the money so lent. The hon. Members for Stockton and South Shields have pointed out the strict views taken by the Loan Commissioners as to the securities for loans. The expenditure on these rivers, the Tyne and Tees, for all shipping purposes, may be rated at nearly £4,000,000. But the loans of public money at high interest, granted for these useful improvements, have only formed a small fraction of this outlay. With such limitations of loans to river works in these great centres of industry, there can be but little hope of loans for the poorer districts, of which there are so many in Scotland and Ireland. These are destitute of all the wealthy resources which are found in the neighbourhood of the Tyne, the Tees, and the Wear. There are many suitable sites for coast harbours, where aid from Government is needed. For instance, in the county I have the honour to represent, there is the Stonehaven Bay admirably adapted for a great national harbour. A large sum of money would, however, be required for its construction. But this part of the coast is urgently in need of a refuge, and a harbour suited for our largest vessels of war. The site is also admirably adapted for a large fishery harbour. At a distance from the coast, of 30 to 90 miles from Stonehaven, there are the well-stocked Mar Bank and shoals, on which the fishing is certain, and the supplies are abundant. Between the coasts and these banks, shoals of herrings invariably pass. If the fishing vessels could remain at sea, or risk exposure for a few hours—indeed with certainty of finding a refuge on the lee shore against the easterly gales, which come on suddenly—the profitable results of the fishery would be great. The full development of these fisheries would open up a vast source of wealth thereby increasing our supplies of food, and raising up a number of the hardiest class of fishermen — one of our greatest wants. The funds for providing this harbour and for many other harbours, can at present only be obtained by making the locality contribute, or by public grants or by the loan of money by Government. The localities might aid in supplying funds, if the recommendations of the Royal Commissioners were carried out. That Commission advised the Government to secure for the public the increased value given to the land in the immediate vicinity, by the construction of harbours. In some localities, where harbours have been a success, the owners of land have greatly benefited by their land being in request for business purposes, and the profits are still on the increase. This is a form of national wealth which may as justly be directly taxed, as the coal and iron now exported from the Tyne and Tees are now indirectly taxed, for the improvement of these rivers. Aided by this as yet neglected resource, and with some degree of certainty—which a Government inquiry could alone ensure—that the engineering designs, and the details of construction, can be better relied on in the future than in the past, there need be no hesitation in laying out many millions for those harbour works, which this country so urgently needs, in order to enable it to sustain the dangerous competition which our commerce has now to dread from foreign countries.

THE CHANCELLOR OF THE EXCHEQUER said, he thought that while the House would share his opinion that the noble Lord (Lord Claud Hamilton) had most ably discharged the duty he had for some time made peculiarly his own, and had done good service in calling attention to this very important subject, at the same time many hon. Members would feel, notwithstanding the able discussion to which they had listened, that there was scarcely any clear issue presented to them on this occasion. Undoubtedly various questions of an important character had been raised; but it was difficult to say, if the Government were to support the Motion of the noble Lord, what the precise effect of their vote would be. It had been very justly remarked that the noble Lord had on this occasion somewhat changed the issue which he had raised on former occasions, and which the Government from the terms of his Motion, and recollecting what had previously taken place, expected he would have raised again this evening. But the noble Lord on this occasion had said very little on the importance of Filey at a harbour of refuge, but had raised the wide and important question of a harbour for the purposes of defence. The latter subject was one which was of so large a character and involved so many important questions that it was hardly reasonable to expect that the House or the Government should express an opinion with regard to it without further time for consideration. The hon. Member for Dover (Mr. Freshfield) had very properly pointed out that another question of a naval harbour had been for some time before the country, and that if the relative importance of a naval station was raised, the claims of other places, such as that of Dover, to be selected for that purpose would have to be taken into consideration before it was determined to create it at Filey. There was a great deal to be said in preference of Dover, if it came to a comparison of the two cases, on account of its fortified position, its proximity to the great channel of commerce, and other claims to consideration; but pressure upon the Government for the defence of the country and the maintenance of our military and naval strength was so great that they had felt themselves compelled reluctantly to prefer other objects at the present time to the promotion of the harbour of Dover. Well, then, in connection with this subject they had had the question raised by the hon. Member for South Durham—whether more was not to be done by going on with those works which had been carried on with such very great success in the Tyne, the Tees, and other ports in the North of England, and connected with that was the further question—whether the Public Works Commissioners were already giving all the assistance they should give to the promotion of those works. These questions were under the consideration of the Government, but he was not prepared to pronounce an opinion without further inquiry. In these circumstances, the Government felt they should hardly know in what position they stood if they were to go into the questions raised by the noble Lord on the one side and by hon. Gentlemen on the other; and perhaps the best and simplest course for the House was to leave aside these questions and accept the Motion for going into Committee of Supply. He could assure the House that the matter was one which had not at all escaped the attention of the Government, but, on the contrary, was at all times under their consideration.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 99; Noes 28: Majority 71.—(Div. List, No. 146.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

FOREST OF DEAN.—OBSERVATIONS.

COLONEL KINGSCOTE rose to call attention to the state of the Forest of Dean, especially as regarded the sale of land by the Crown for building and other purposes. The hon. and gallant Member said that he had intended, if the Forms of the House had permitted, to move—

"That, pending legislation for carrying out the recommendations of the Select Committee which sat in 1874 on Dean Forest, it is expedient that further facilities should be given by the Commissioners of Her Majesty's Woods and Forests to enable the inhabitants of the Forest of Dean to purchase waste or other land in the said forest belonging to the Crown for building or garden purposes, as provided by the Act 10 Geo. 4. c. 50."

The Report of the Select Committee on the Forest, which was appointed in 1874 to inquire into the laws and rights affecting Dean Forest and the condition thereof, set forth that it was in a bad state, and that this condition was owing to official neglect. In consequence of this inquiry, in 1875 a Bill was brought in appointing Commissioners with powers to inquire into the boundaries and other matters connected with the Forest, the setting out of spaces for recreation and enjoyment, the allotment of garden ground for the labouring classes, and the sale of land for building and other purposes by auction or private contract. That plainly indicated that the sale and allotment of land in considerable quantities for the use of the inhabitants of the Forest had been contemplated. That Bill, however, was never read the second time; and since then nothing had been done to remedy the evils which had been proved before the Select Committee of that House to exist in the Forest of Dean. He therefore felt it necessary again to call the attention of the House to the subject. The Forest of Dean was in 1713 little better than a wilderness—the only dwellings within the boundary being six lodges for keepers. Since then, however, owing to the development of minerals, which were very extensively worked, the population had very largely increased. In 1788 there were 598 cottages, and a population of about 3,000; and in 1871 there were 4,000 cottages and a population of over 22,000. But the people located there lived in wretched cottages, many of which consisted of only one or two rooms: they had hardly any garden ground, and not a paddock or a small field was to be found in the Forest where a cottager could keep a cow. Great inconvenience necessarily resulted from that state of things, and, instead of matters getting better in that respect, they were steadily growing worse. The population went on increasing, but no land was sold for building purposes or for garden allotment.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

COLONEL KINGSCOTE proceeded to quote from the evidence taken before the Select Committee to show the extent to which overcrowding existed in the dwellings of the miners. One witness gave as a typical instance a case in which there were 17 persons, comprising three distinct families, living in a house with only two small rooms. In addition to being thus overcrowded, the miners and other workpeople had further and further to go to their employment. He blamed the authorities for not having made any attempt when minerals were developed in the Forest to provide for the wants of the population. The amount of land sold from 1856 to 1860 inclusive was only 24 acres, and from 1872 to 1876 inclusive 18 acres. In the four years previous to 1872—a period during which the population rapidly increased—only 5½ acres were sold, and although the land was of very inferior quality, the price obtained for it per acre was as high as £327. He was sure the House would agree with him in thinking that some remedy was required for this state of things. If the Bill of 1875 could not be passed, he would ask the officials of the Crown to exercise the powers they had by 10 *Geo.* IV., c. 50, s. 98, or if this did not give sufficient scope to bring in a short Bill, in order to obtain additional powers, to sell land say at £60 an acre, which would be a fair price. He was convinced that the sale of even 500 acres would be of the greatest benefit to the inhabitants of the Forest.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter before Nine o'clock till Monday next.

HOUSE OF LORDS,

Monday, 4th June, 1877.

MINUTES.]—*Sat First in Parliament*—The Lord Gage, after the death of his Grandfather.

PUBLIC BILLS—*First Reading*—Crown Office * (84); Marriages Legalisation, Saint Peter's, Almondsbury * (85); Consolidated Fund (£5,900,000) *; Local Government Board's Provisional Orders Confirmation (Atherton, &c.) * (86), and *referred* to the Examiners; Local Government Board's Provisional Orders Confirmation (Belper Union, &c.) * (87), and *referred* to the Examiners.

Committee — Report — Gas and Water Orders Confirmation (Brotton, &c.) * (60); Public Libraries Act (Ireland) Amendment * (65).

Report - Settled Estates * (49).

BURIAL ACTS CONSOLIDATION BILL.

QUESTION. EXPLANATION.

EARL GRANVILLE: My Lords, as I see that my noble Friend the President of the Council is in his place, I will ask him a Question of which I have given him private Notice. I do not know whether it will be convenient to him to answer it this evening; but, if not, perhaps he will answer it on some other evening this week. The next stage of the Burials Bill will not be taken till after a considerable lapse of time—about a month from the date when it was in Committee. I think it would be convenient to the House if, before the next stage comes on, Her Majesty's Government—if they think they could do so—would state what course they propose to take with regard to the Bill. One clause of the Bill in particular is of very considerable importance, and it would be desirable to know when the Government propose to go on with the Bill, and, if they do, whether they propose to introduce Amendments?

I may take this opportunity of giving a personal explanation relative to a statement which I made on the second reading of the Burials Bill respecting the burial of Sir Morton Peto's daughter, the accuracy of which has been disputed. The information was given me in 1876, and I intended to mention the case when introducing the Resolutions of last year; but I forgot to do so. The matter came back to my recollection this year when speaking on the second reading of the Bill, when I repeated it, as I thought, exactly as I received it. I am now informed the church on which Sir Morton Peto spent so much money was in an old churchyard; and that the refusal to allow anything but a silent burial to a deceased Baptist was given previously to the death of Sir Morton Peto's daughter. When his daughter died, warned by what had happened, he was obliged to bury her in a cemetery, although his strong wish was to bury her in the above-mentioned churchyard; and it was this sad event which induced Sir Morton Peto to bring in the Burials Bill of 1861. Sir Morton Peto made no complaint of the conduct of the clergyman—what he did complain of was the system, and that he sought by this Bill to remedy.

THE DUKE OF RICHMOND AND GORDON: The Report of the Burials Bill, which is the next stage, we propose to take on Monday, the 18th of June. Any Amendments which the Government may desire to introduce on that stage they will take care to have printed so that they may be in your Lordships' hands a considerable time before that date, and your Lordships may then have the opportunity of considering them.

JOINT STATIONS AT RAILWAYS.

STANDING ORDER. RESOLUTION.

THE EARL OF BELMORE rose to call attention to the inconvenience and danger to the public which had in some instances arisen in joint railway stations, under the joint control of different companies, owing to insufficient accommodation; and to move a Resolution, that there be a Standing Order inserted in every future Railway Bill, making provision in relation thereto. The noble Earl said that the recent Royal Commission, after pointing out that a great deal had from time to time been done by Railway Companies to provide additional accommodation, &c., at great cost, went on to say—

"But though much has been done by Railway Companies to meet the demands of increasing traffic, we find that cases have existed, and do exist, in which Companies have for an unreasonably long period allowed the accommodation to remain insufficient, and that to such an extent as to give rise to serious danger. This is specially the case in respect of joint stations and lines jointly used in connection with them. and Guidebridge, Huddersfield, and Preston may be cited as prominent instances."

The Commissioners explained that no difficulty had arisen in those cases where the original owning Companies had retained the rights of ownership, and the other Companies had been admitted as tenants, even though in perpetuity; but that the evil existed only where Parliament had given to more than one Company an equal right and equal voice in the control, &c., of the station. The Commissioners went on to say—

"And here the consequences to be anticipated from divided control and divided responsibility have ensued. When such an arrangement has arisen from the demand of one Company to obtain rights to use the station of another Company, the object of the intruding Company has been either to bring about interchange of traffic, or else, without reciprocity, to transfer to its own system a portion of the traffic, whether de-

veloped or undeveloped, of the other line. In the first case it will generally be found that the Companies have agreed to certain terms, and submitted them for the approval of Parliament. In the second case the intrusion of the new Company has generally been effected upon terms imposed by a Parliamentary Committee after a contest between the parties. In both cases the individual responsibility of the original Company to provide a station adequate to the traffic it admits is taken away: and, in the second case, the chance of profit from its original expenditure or any additional outlay is necessarily much reduced. Not even the most necessary alterations in the station can be effected until two or more Boards of Directors have agreed to the necessity of the expenditure proposed, and to the proportions in which their respective Companies are to be charged therewith."

After some further remarks, the Royal Commissioners continued—

"In granting to private persons a concession to make a railway, the Legislature has intended to impose the obligation to make a line adequate to the safe conduct of the traffic. But when other Companies intrude upon lines thus formed, this obligation is obscured, and the enforcement of it becomes difficult."

Then followed the recommendation substantially embodied in his Resolution. The Duke of Buckingham, who was the first Chairman of the Royal Commission, attached great importance to this question of sufficient accommodation at joint stations, and this was a portion of the noble Duke's examination of Mr. H. Oakley, general manager of the Great Northern Railway—

"Q. 33,298.—Do you think there would be any hardship, any inconvenience to the public, if when new lines are sanctioned with running powers into stations and the use of stations belonging to other Companies, it was made a condition that the additional accommodation should be provided and the funds found—that is to say, the agreed portion found for it by the new line before the line was opened to the public? A.—No, I do not think there would be any hardship on the new Company in that, provided the old Company were not allowed to delay the opening of the new line by any dilatory conduct on their part in enlarging the station. Q. 33,299. Assuming, for instance, a case like this: a Company obtains power from Parliament to make a certain line adjoining your own line, 100 yards or so outside the station, and using the station: at the present moment it appears that the common custom has been that the Board of Trade inspection practically ends at the point of junction? A.—Yes. Q. 33,300.—That the old station is used without material alteration, or practically without any, and that no one party afterwards has sufficient interest in the profit to make it worth its while to press on the re-arrangement, and the public are inconvenienced, and in some cases things have gone to the extent of making it dangerous to work? A.—Yes. Q. 33,301. Of course, the question arises why should that be, why should not the new Company, if it takes advantage of an old station, be equally bound to complete it before it opens its line, as it would be if it built a station of its own? A.—I do not think there can be any reasonable objection to the new Company being bound either to provide its own independent station, or to provide sufficient accommodation in the previously existing station. I think that is common sense; but in dealing with that question care must be taken that the old Company does not obtain a sort of practical power of shutting the new Company out for an indefinite time. Q. 33,302.—By disagreeing to its plans, you mean? A.—Yes."

He was not asking by his Resolution for any interference with old joint stations; what he did ask for was a measure of precaution to which he thought Railway Companies coming before Parliament for schemes of joint stations could make no reasonable objection.

Moved to resolve, That in the opinion of the House there should be a Standing Order that in future any Railway Bill proposing to authorise the intrusion of a new railway into an existing station of another railway shall be referred to the Board of Trade for the purpose of obtaining a report from that department (similar to those which are now made in the case of Bills which authorise level crossings upon railways), whether the accommodation upon the line affected by the intrusion be sufficient for the increased traffic proposed to be brought upon it; and, if not, that it is further the opinion of the House that provision should be made in any such Bill, before it leaves Committee, for the due extension of the works and premises; also for definitely fixing the responsibility of maintaining such premises, and of making future extensions should such become necessary; and that power should be given by the Act to any company under such responsibility to compel any other company using its line to contribute to the expense of the necessary works, or to submit to arbitration in the matter.—(*The Earl of Belmore.*)

THE DUKE OF RICHMOND AND GORDON said, that the object his noble Friend had in view was one of considerable importance, and he thought he had made a case for bringing it under the notice of their Lordships. He did not, however, think that the manner in which his noble Friend proposed to deal with the subject was the best that could be desired. Indeed, there were considerable objections to any portion of the great question referred to the Royal Commission being dealt with in an isolated manner. As had been pointed out on a former occasion by his noble Friend at the head of the Government, it was obvious that the whole subject of railways must be maturely considered

by the Government with the view to its being dealt with in a general scheme. He could not, therefore, think it would be wise to treat this matter of joint stations by a Standing Order as proposed by his noble Friend whose Motion was before their Lordships. He submitted to his noble Friend and their Lordships, that to make such a reference to the Board of Trade as that suggested by his noble Friend would have the injurious effect of removing from the Committee on the particular Bill that responsibility which in the public interest it was desirable should be invested in it—inasmuch as they might consider it waste of time to enter into questions that had to be undertaken by the Board of Trade. As to the principle embodied in the last part of his noble Friend's Resolution, it had already been accepted in the cases of Acts passed for the Midland and Settle and the Wolverhampton and Walsall lines, and therefore there appeared to be no necessity for making it compulsory in the form of a Standing Order. He hoped his noble Friend would not think it necessary to press his Motion.

THE EARL OF REDESDALE thought it would be difficult to carry out by Standing Order a regulation such as that suggested by the noble Earl. It was undesirable to have many stations in a town, and every facility should be given for different Companies using the same station when it could be done consistent with safety.

Motion (by leave of the House) *withdrawn.*

CROWN OFFICE BILL [H.L.]

A Bill for making provisions with respect to the preparation and authentication of Commissions and other documents issued from the Office of the Clerk of the Crown in Chancery; and for other purposes—Was *presented* by The LORD CHANCELLOR; read 1ª. (No. 84.)

MARRIAGES LEGALISATION, SAINT PETER'S, ALMONDSBURY, BILL [H.L.]

A Bill to render valid marriages heretofore solemnised in the Chapel of Ease called Saint Peter's Church, in the parish of Almondsbury, in the county of Gloucester—Was *presented* by The Lord Bishop of GLOUCESTER and BRISTOL; read 1ª. (No. 85.)

LOCAL GOVERNMENT BOARD'S PROVISIONAL ORDERS CONFIRMATION (ATHERTON, &C.) BILL [H.L.] (NO. 86.) A Bill to confirm certain Provisional Orders of the Local Government Board relating to the Local Government Districts of Atherton, Barnard Castle, Belgrave, Brigg, Brownhills, Cwmdu, and Dawlish, the Borough of Evesham, the Improvement Act District of High and Low Harrogate, the Borough of Ipswich, the Local Government District of Newbold and Dunston, the Rural Sanitary District of the Settle Union, the Local Government Districts of Slough and Southborough, the Borough of Swansea, and the Rural Sanitary District of Ulverstone Union: And also,

LOCAL GOVERNMENT BOARD'S PROVISIONAL ORDERS CONFIRMATION (BELPER UNION, &C.) BILL [H.L.] (NO. 87.) A Bill to confirm certain Provisional Orders of the Local Government Board relating to the Rural Sanitary District of the Belper Union, the Borough of Chipping Norton, the Local Government District of Clay Lane, the City of Exeter, the Borough of Droitwich, the Improvement Act District of Haverfordwest, the Rural Sanitary District of the Hendon Union, the Local Government District of Hexham, the Boroughs of Kingston-upon-Hull, Portsmouth, and Saint Helens, the Local Government District of Southend, the Borough of Sunderland, the Local Government District of Sutton-in-Ashfield, and the City of York:
Were severally *presented* by The Earl of JERSEY, read 1ª, and *referred* to the Examiners.

House adjourned at Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 4th June, 1877.

MINUTES.]—NEW MEMBER SWORN—Edmond Dwyer Gray, esquire, *for* the County of Tipperary.

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES—*Resolutions* [May 31] *reported.*

PUBLIC BILLS — *Ordered* — *First Reading* - Public Health (Metropolis) * [187]; Building Societies Act (1874) Amendment * [188].

First Reading—Removal of Wrecks * [181]; Public Record Office * [182]; Medical Act (1858) Amendment (No. 3) * [186].

Second Reading—Bishoprics [153], *debate adjourned;* Companies Acts Amendment * [45]; Local Government Provisional Orders (Bridlington, &c.) * [170]; Blind and Deaf Mute Children (Education) [176].

Committee—*Report*—Universities of Oxford and Cambridge (*re-comm.*) [113-183]; Supreme Court of Judicature (Ireland) * [66-184]; Pier and Harbour Orders Confirmation (No. 3) * [166]; Colonial Fortifications * [174]; Summary Jurisdiction (Ireland) (No. 2) * [159-185].

Considered as amended—Quarter Sessions (Boroughs) * [144].

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Third Reading—Customs, Inland Revenue, and Savings Banks * [143]; Public Works Loans [145]; Local Government (Gas) Provisional Orders (Penrith, &c.) * [156]; Local Government Provisional Orders (Altrincham, &c.) * [157], and *passed*.

QUESTIONS.

COOLIE EMIGRATION TO FRENCH GUIANA.—QUESTION.

MR. ERRINGTON asked the Under Secretary of State for India, Whether it is true that the Government of India has lately felt itself obliged to prohibit the exportation of Coolies from India to the French colony of Guiana; and, whether there would be any objection to lay upon the Table Copies of any representations or correspondence which may have passed on the subject?

LORD GEORGE HAMILTON: Sir, the Government of India did in September, 1876, intimate to the Secretary of State their decision to withhold their assent to the resumption of emigration from India to Cayenne, until the improvement of arrangement should have materially reduced the sickness and mortality among coolies settled in the colony, their desire being that steps should be first taken by the French Government to prevent the great amount of needless exportation of those coolies. The French Government, however, recently addressed Her Majesty's Government on the subject; and the matter being at this moment under consideration, it would not at the present moment be thought expedient to lay before Parliament the correspondence that has passed regarding it.

POST OFFICE—THE AUSTRALIAN COLONIES—PREPAYMENT OF LETTERS. QUESTION.

SIR COLMAN O'LOGHLEN asked the Postmaster General, If he would state under what Statute the Post Office claims to have the right to render compulsory the pre-payment of letters from the United Kingdom to our Australian Colonies; under what Statute letters from the United Kingdom to our Australian Colonies, posted in the United Kingdom with no stamp, or with an insufficient stamp, are now opened and read at the General Post Office; if he can lay upon the Table of the House a Return, for each of the last three years, of the number of such letters opened and read at the General Post Office; and, if he can state on what grounds the senders of letters from the United Kingdom to our Australian Colonies have not the same option of pre-paying or not those letters as they now possess with regard to letters between different parts of the United Kingdom?

LORD JOHN MANNERS, in reply, said, the Treasury Warrant of 1864, which rendered compulsory the pre-payment of letters from the United Kingdom to the Australian Colonies was issued under the 3 & 4 *Vict.* c. 96. Under the same statute letters from the United Kingdom to the Australian Colonies with no stamp or an insufficient stamp were opened, and not read, but returned to the writers of them. No Return had been kept of the number of such letters opened and returned. Compulsory pre-payment was agreed upon between the Imperial Government and the Governments of the several Australian Colonies as long ago as 1865. A few years ago the Imperial Government made a proposal to the Australian Government to relax that rule, but no further steps were taken in the matter.

NAVY—THE ARCTIC EXPEDITION. QUESTION.

MR. LYON PLAYFAIR asked the Secretary to the Admiralty, in the absence of the First Lord, Whether, having received a Report, of date 3rd March, from the Admiralty Committee on Scurvy to the effect that the early outbreak of scurvy in the spring sledging parties of the late Arctic Expedition was due to the absence of lime juice from their provisions, and further that in not including lime juice the officer in command of the Expedition deviated from the Memorandum of Recommendations and Suggestions of the Medical Director General furnished to Sir George Nares by the Admiralty for his information, and that such deviation was not proper, he has taken any steps in respect to this Report with a view to prevent similar calamities on future occasions?

MR. A. F. EGERTON: As there is no intention at present to fit out any Arctic Expedition, it is unnecessary to take any

immediate steps as to the issue of lime juice, in consequence of the Report of the Committee to which the right hon. Gentleman refers. Should, however, at any future time a similar Expedition be sent out, the experience of the last one will doubtless not be lost upon the Admiralty. I may add that directions have been given for a communication to Sir George Nares upon the subject of the Report, which will be laid upon the Table.

MR. LYON PLAYFAIR: In consequence of the Answer to my Question, which was not confined to Arctic Expeditions, I shall call attention to the Report on the Motion for going into Committee of Supply.

THE CHANNEL ISLANDS—THE LAWS AND JUDICATURE.—QUESTION.

MR. J. COWEN asked the Secretary of State for the Home Department, If he can place upon the Table of the House a detailed and explanatory list of the privileges enjoyed by the inhabitants of the Channel Islands?

MR. ASSHETON CROSS, in reply, said, that it was impossible, without much more power in the way of expenditure than he possessed, to give a detailed and explanatory list of the privileges enjoyed by the inhabitants of the Channel Islands. One of their great privileges was exemption from Imperial taxation, and the other, which he considered a doubtful one, was the privilege of Home Rule. A great deal of information on the subject would be found in the Report of the Commission which sat about 1847.

REGISTRATION OF BIRTHS, DEATHS, &c.—FEES.—QUESTION.

MR. HOLT asked Mr. Attorney General, Whether under the 37th section of 6 and 7 Will. 4, c. 86, a registrar is authorised to make a charge of one shilling for a search of the register, in addition to the fee of two shillings and sixpence, in cases in which the name and exact date required for the certificate are given by the applicant?

THE ATTORNEY GENERAL: Sir, in my opinion, in cases where no search of any sort is necessary, the fee of 1*s.* for a search ought not to be charged; and a search will not be necessary when a reference to the volume and page of the register, where the entry can be found can be given; but it does not follow that a search will not be needed simply because the name of the person whose birth, death, or marriage is supposed to be recorded is given with the date of the event. I give this answer, because I am anxious to oblige my hon. and learned Friend; but as there are great differences of opinion on the subject, and as my opinion is in no way binding upon the registrar, I doubt very much whether I ought to express it.

PASSENGER ACT, 1863—THE STEAMSHIP "ARRAGON."—QUESTION.

MR. MORLEY asked the President of the Board of Trade, Whether it is true that Lieutenant Pearch, R.N., the Emigration Officer at the Port of Bristol, caused the steamship "Arragon" to be detained for several hours at King's Road, in the Port of Bristol, on the 16th instant, after she was loaded and ready for sea, because he did not understand that a steamship might carry passengers in the proportion of one statute adult to every twenty registered tons, without becoming liable to the provisions of the Passengers' Act, although this is most clearly defined by the third section of "The Passengers' Act Amendment Act, 1863;" and, whether it is the intention of the Board of Trade to compensate the owners of the steamer for the detention caused by their officer?

SIR CHARLES ADDERLEY: Sir, the ship was detained for a few hours owing to the officer having calculated the number of statute adult passengers without the Proviso, obscurely made in the Act of 1863, that two passengers under 12 years of age should count for one. The corrected calculation just took the ship, as a short ship, out of the Act. The owner being in London, came to the Board of Trade, and the ship was liberated by telegram. I must add that the Question most unfairly implies misconduct on the part of a public officer and a claim for compensation, which was neither made, nor had any foundation in fact.

THE BRITISH MUSEUM—SALARIES. QUESTION.

MR. W. CARTWRIGHT asked the Secretary to the Treasury, Whether any

scheme for regulating the Salaries of the Officers in the British Museum has been recently submitted by the Trustees to the Treasury; and, if so, whether he would state the date when such scheme was transmitted to the Treasury, and the decision that has been taken in regard to the recommendations made by the Trustees?

MR. W. H. SMITH, in reply, said, that a scheme was submitted by the Trustees in the early part of April, in consequence of certain communications that passed between the Treasury and the Trustees of the Museum. That scheme had been very carefully considered by the Treasury, and an answer had been sent to it that evening, containing the proposals to which the Treasury were prepared to consent.

PATENTS FOR INVENTIONS BILL.

QUESTION.

SIR HENRY JACKSON asked Mr. Attorney General, Whether it is the intention of the Government to proceed further with the Patents for Inventions Bill this Session?

THE ATTORNEY GENERAL, in reply, said, he intended to use every effort to pass the Bill that Session, and he hoped they would be successful.

MALTA—TAXATION ON GRAIN AND FOOD ARTICLES.—QUESTION.

MR. T. B. POTTER asked the Under Secretary of State for the Colonies, If he is prepared to state to the House the result of the recent investigation in Malta in reference to the food taxes in that island, and the decision of the Government on the subject; and, if the Government is prepared to take steps to amend the system of primary education in Malta and to secure to the Maltese a thorough instruction in the English language, and thus to give them a full opportunity to avail themselves of the advantages and fulfil the responsibilities of British citizenship?

MR. J. LOWTHER: I am unable, Sir, to state at the present moment what the result is of the recent investigations into the question of food taxes in Malta, and I am afraid some little time must elapse before I shall be in a position to do so, as the Report which we expect very shortly to receive must be very carefully considered by Her Majesty's Government, in addition to which full communications will have to be exchanged with the local Government before a final decision is arrived at. As to the question of education, although there is no intention, at present at any rate, to effect any radical change in the system now in force in the island, measures are in progress which will tend to offer increased facilities for learning the English language.

INDIA—THE INDIAN BUDGET.

QUESTION.

MR. COURTNEY (for Mr. FAWCETT) asked the Under Secretary of State for India, Whether, as he stated that the Indian Budget would be brought forward at an earlier period than usual, he is now able to name the day when it will be brought forward; and, if it will be necessary during the present Session for the Government to apply to Parliament for power to raise money to meet the deficiency which is expected to arise in India during the current financial year?

LORD GEORGE HAMILTON, in reply, said, the Indian Government estimated that the Famine in Madras and Bombay would cost upwards of £5,000,000, and they further stated in their Financial Statement that the Indian Money Market would not be ready to supply them with the amount necessary to meet that expenditure. He was afraid, therefore, that Her Majesty's Government would have to come to Parliament to ask for power to raise a certain portion of that sum. He thought it would be more for the convenience of the House if, before any such application was made, the annual Financial Statement of India was made to the House; therefore, on the Motion for going into Committee, he would make that Statement. He could not say at present what day would be selected; but he hoped it would be within the next fortnight, or, at all events, within the present month.

PARLIAMENT—MORNING SITTINGS.

QUESTION.

SIR CHARLES W. DILKE asked Mr. Chancellor of the Exchequer, Whether the Government propose to take Morning Sittings on Tuesdays only, or on Tuesdays and Fridays?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, the Government proposed to take the Tuesdays only at present; but he hoped that the House would by-and-by extend to them the Fridays also.

PARLIAMENT—ORDER.—QUESTIONS.

FEDERAL UNION OF LIBERAL ASSOCIATIONS (BIRMINGHAM).

SIR GEORGE BOWYER: I beg to give Notice that on Friday next, I shall ask the right hon. Member for Greenwich the following Question:—Whether, at a meeting lately held at Birmingham, he gave his assent and concurrence to, and took part in the formation of, a political Society or Association described as a Federal Union on the following principles: — All Liberal Associations joining the Union reserve their independence and separate organization and administration, but the representatives of such Associations to be convened from time to time to consider, by conferring together, the course of action to be recommended to their Associations; the object of the proposed Federation to be secured by the election of Committees of such Associations, and by the combination of such Associations by means of their freely chosen representatives in the general Federation?

MR. KNATCHBULL-HUGESSEN: I rise to Order. I wish to ask you, Sir, whether it is in Order for an hon. Member of this House to give Notice of a Question referring to speeches which he alleges to have been made by another Member out of the House, and which have nothing whatever to do with the Business of the House?

SIR GEORGE BOWYER: I understand that constantly references are made to things outside this House.

MR. SPEAKER: According to the Rules of the House no Question can be put by one hon. Member to another hon. Member, not being a Minister of the Crown, unless that Question relates to some Bill or Motion before the House. I understand, therefore, that the hon. Member is out of Order.

NAVY—MUTINY ON BOARD THE "ALEXANDRA."—QUESTION.

MR. PEASE desired to ask the Secretary to the Admiralty—though time had not allowed of his giving Notice of the Question—Whether it is true, as reported in the newspapers on Saturday morning, that a Mutiny has broken out in one of Her Majesty's ships in the Mediterranean, and that the men had so used the guns as to render them unfit for service?

MR. A. F. EGERTON, in reply, said, he should be prepared to answer the Question when due Notice of it was given.

ORDERS OF THE DAY.

UNIVERSITIES OF OXFORD AND CAMBRIDGE (*re-committed*) BILL—[BILL 113.]

(*Mr. Gathorne Hardy, Mr. Assheton Cross, Mr. Walpole.*)

COMMITTEE. [*Progress 17th May.*]

Bill *considered* in Committee.

(In the Committee.)

MR. JAMES, in moving as an Amendment after Clause 54 to insert the following clause:—

"On and after the fifteenth day of Michaelmas term, one thousand eight hundred and seventy seven, so much of section sixteen of the Act of the seventeenth and eighteenth years of Victoria, chapter eighty-one, as enacts that all residents, being members of convocation of the University of Oxford shall be members of congregation shall be repealed; and, instead thereof, it shall be enacted that all resident members of convocation of the University of Oxford being or having been fellows of colleges, or certified by the head of any college or hall to be engaged in the discipline, tuition, or administration of such college or hall by virtue of some office or employment existing at the time of the passing of this Act, or to be created by statutes made after the passing of this Act, shall, with the other persons mentioned in the said sixteenth section, be members of congregation."

said, the new clause referred to the composition of Congregation in the University of Oxford. In the Act of 1854, the legislation was founded on the Report of the Commissioners of the previous year, and it was in conformity with the terms of that Report that the present clause was now submitted. In 1854, the right hon. Gentleman the Member for Cambridge University had proposed to include, in addition to the various persons mentioned in the clause, "the resident-members of Convocation," which had, by the legal interpretation, been held to include all M.A.'s who had resided 180 days in the year within a mile of Carfax. The only object of

this was to place in a position, for which they were in no way qualified, a large number of parochial curates and College chaplains. The Congregation of the University, which was to be the Body to legislate on all academic questions affecting the University, ought to be an aristocracy of learning, which was quite incompatible with the existing system. He had to ask his right hon. Friend, in stating his objections to the clause, to explain in what respects he considered the adoption of the clause would be inconsistent with what the Commission of 1854 recommended as expedient? He wished also to give Notice that in the event of the clause being rejected, it was not his intention to move the second clause of which he had given Notice, which proposed to transfer the elective offices made at present by Convocation to Congregation, except in the case of the Chancellor, Lord High Steward, and the Burgesses who represented the University in Parliament.

New Clause (Composition of congregation of the University of Oxford,)—*Mr. James,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

SIR CHARLES W. DILKE observed that, as they might be told they had debated the question before, he wished to point out that what they had debated was the question of giving powers to do that which it was now proposed that they should do themselves by this clause; and as they were then met with the objection that the matter should be settled in Parliament, they now distinctly put their scheme before the House. No division had taken place upon the issue he had stated.

MR. GATHORNE HARDY said, that the proposition of the hon. Member for Gateshead (Mr. James) was to narrow the Congregation very much at Oxford, which he believed would be very pernicious. He was able to quote the authority of Mr. Thorold Rogers against it. He said its first effect would be to exclude many most useful men from the Congregation, and among them three eminent physicians, and others who took a deep interest in University affairs. The present system worked extremely well, and he (Mr. Hardy) did not think it would be wise to leave everything in the hands of the Professoriate. The persons who would be excluded were particularly well qualified to decide upon arrangements connected with the education of their children, and he could not therefore, under the circumstances, assent to the second reading of the clause.

MR. KNATCHBULL-HUGESSEN thought it very desirable that Convocation should be reformed, and still more so that the offices in the University connected with the teaching should be in the gift of the Congregation, and not of the Convocation. The two points were quite distinct, and if the hon. Member for Gateshead (Mr. James) did not move his second clause, he (Mr. Knatchbull-Hugessen) should feel it his duty to do so, in order that the point might be discussed.

Question put.

The Committee *divided*:—Ayes 108; Noes 136: Majority 28.—(Div. List, No. 147.)

On the Motion of Sir CHARLES W. DILKE, the following new clause was *agreed to*, and *added* to the Bill:—

(Notice of objection to be given.)

"No objection to the list of members of the electoral roll of the University of Cambridge, promulgated in accordance with the provisions of the Act nineteenth and twentieth Victoria, chapter eighty-eight, section seven, made on the ground of any person being improperly placed on or omitted from the said list, shall be entertained unless notice of it is given in writing to the Vice Chancellor at least four days before the day for publicly hearing objections to the said list; and the Vice Chancellor shall, at least two days before such day, cause to be promulgated a list of all the objections of which notice has been given."

MR. GOSCHEN, in moving, as an Amendment, after Clause 55, the addition of the following clause:—

"The Commissioners, in statutes made by them for a College, shall provide that the entering into or being in Holy Orders shall not be the condition of the holding of any headship or fellowship,"

said, with regard to Oxford there were still a large number of Colleges in the hands of clerical Fellows, or in the hands of a Governing Body on which the clerical Fellows were decidedly in a majority. At Exeter College every Fellow was obliged to take Holy Orders within 15 years of his election, unless he had served the College as tutor or lecturer

for 10 years. This, however, was an exceptional case. In Queen's there were nine clerical Fellowships, the persons elected to them, if not already in Orders, having to declare their intention of taking deacon's Orders within three years and priest's Orders within two years thereafter. In Lincoln there were only two Fellows who might remain laymen, all others must proceed to priest's Orders within 10 years after admission. At Brasenose there were six clerical Fellowships. At St. John's and Worcester only one-third might be held by laymen, and this was the case with several other Colleges. This was a very important matter, inasmuch as the Fellows really constituted the Governing Body. At Christ Church the Governing Body consisted of 34 members, 27 of whom were already in Orders, or pledged to take them. He doubted whether the state of things shown by these facts was generally realized. By being compelled to select men who were either in, or pledged to take Holy Orders, the general field of selection was much narrowed, and it was a matter of history that the men who applied for the clerical Fellowships were in a large number of cases men who had failed to obtain the open Fellowships. After taking his degree a man generally required some time to choose his Profession. During that time he would stand for an open Fellowship, and should he fail in that, he might find there was a good chance of success, if he was willing to declare he would enter the Church. He maintained that the system held out a distinct bribe to a man to take Orders at a time when most of all his judgment ought to be entirely unfettered, when it might be premature to determine the choice of a Profession, and when it was especially undesirable that the Profession of a clergyman should be hastily chosen. Was the Committee to suppose that if no restrictions were placed on those Fellowships, then no Fellows, or very few, would become clergymen at all? He could scarcely conceive hon. Gentleman opposite wishing to commit themselves to that doctrine. He had some difficulty in arguing the question, because he could scarcely anticipate the argument which might be brought against the clause. The question, however, was not whether they were to have clergymen on the Governing Body, but whether they were, in the interests of the Church herself, wise to offer these inducements to men to take Holy Orders. For his own part, he thought it most unwise in the interests of religion to have at so early a stage of a man's life a pecuniary temptation held out in that way. Another result might be that many men would be placed in the unfair position, if, after three years, from conscientious motives they refused to enter the Church, of appearing to have obtained their Fellowships under false pretences. Indeed, he could not conceive a more false position in which a young man could be placed than that in which many were placed under the present system. That also was the opinion of a very large number of the residents at Oxford and the majority of the teaching Body. A large number of clergymen had signed a Petition to that House in which they prayed for the removal of those restrictions. It was signed by 96 out of 150 or 160 resident Fellows, or nearly two-thirds of the whole number, by 11 ex-Fellows, 45 College Tutors, and 45 College Lecturers. These numbers were in the proportion of nearly two-thirds of the whole Body. When the counter Petition was spoken of in the Committee, he hoped it would be stated how many of those by whom it was signed were clergymen. Those clergymen who had signed in favour of his Amendment had not omitted the prefix to their names, whereas in the case of the other Petition a large number of clergymen had not stated whether they belonged to the Church or not. And what danger, he should like to know, would result to Oxford or Cambridge from the removal of the restrictions on clerical Fellowships? There were Colleges in which at present no such restrictions existed, as, for instance, at Wadham. Had parents, he should like to know, been found in consequence less willing to send their sons to that College? Again, at Balliol, clerical Fellowships had been reduced to two. There were also only two in one of the very best Colleges—University College—so that it was quite clear they were not required, either for the purposes of education, or for the proper conduct of the Colleges. Everyone must desire to see religious instruction maintained in the University and Colleges, and the chapel services properly conducted; but these were

Mr. Goschen

otherwise provided for, and it could not be urged that it was necessary to retain clerical restrictions on the Fellowships for those purposes any more than any other object. He hoped, therefore, the right hon. Gentleman the Secretary of State for War might be induced to make the concession for which he asked, and he felt quite satisfied that if the Colleges were left to themselves many of them would abolish those Fellowships altogether. Indeed, opinion at Oxford on the subject was so strong that it would be scarcely possible to leave matters in the position in which they now stood, and University Reform could not be considered as terminated while such an anomaly as that against which his Amendment was directed existed. If the right hon. Gentleman could do nothing in it, depend upon it that the House of Commons would take the matter up year by year, and at length compel the great and much needed change which the adoption of this clause would permit the Commissioners to make. The right hon. Gentleman concluded by moving his clause.

SIR CHARLES W. DILKE, in seconding the Amendment, said: The right hon. Gentleman the Member for the City of London (Mr. Goschen) raises here the question of clerical Headships and Fellowships. My words are very nearly the words upon which Lord Granville divided in the House of Lords in 1876; but the new clause suggested by the right hon. Gentleman is more sweeping and complete than mine. It has been denied that there are any great number of clerical Fellowships in existence. If there were but one, there would be a case for our Amendment; for it is necessary that we should get rid of all restrictions which in any way limit the free and open selection of the best men to fill any and every post. But what is the extent to which clerical restrictions exist at the present time? I reply that they exist in the case of the great majority both of Fellowships and of Headships of Colleges. Let us take the case of Cambridge. In one sense of the word there are only 13 clerical Fellowships at Cambridge—that is to say, there are only 13 Fellowships to which from the first clergymen alone are eligible. But there are 52 "clerical" in the Cambridge sense—that is to say, 52 Fellowships which must be held by clergymen. The difference is this, that the 13 are definite Fellowships not liberated by any number of other Fellowships being held by clergymen. Although there are only 52 Fellowships which must be held by clergymen at Cambridge, the vast majority of the remaining Fellowships are subject to clerical restrictions. I have gone carefully through the Colleges of the University, and I hold in my hand a table in which I have classified them, College by College, under four heads—clerical; open; lay; and open, subject to clerical restrictions at the end of a certain time. I find that there are 350 Fellowships at Cambridge, of which 52, as I have said, are clerical—that is, they must be held by persons in Holy Orders—16 are lay; 99 are open, as we would make them all to be; and 183 are neither strictly clerical, nor strictly open, but are open Fellowships, the tenure of which is limited by a clerical privilege. This last list includes all the Fellowships at Trinity, John's, Caius, and Queen's, and all the Fellowships at Clare and Emmanuel that are not absolutely clerical. At Trinity and John's all the Fellows are required to take Holy Orders within seven years, except those who for 10 years have been engaged in College tuition. At Caius and Queen's all are required to take Holy Orders within 10 years. At Clare not only are there clerical Fellowships, but the holders of those Fellowships, which are nominally open, have to take Orders at the end of 10 years. At Emmanuel there are clerical Fellowships, and the holders of other Fellowships nominally open have to take Orders at the end of seven years, or vacate their Fellowships at the end of 10 years. On the whole, then, at Cambridge there are 115 Fellowships not subject to clerical restrictions, and 235 Fellowships subject to clerical restrictions. It is obvious that all restrictions upon choice are bad in themselves as tending to prevent the selection of the best men. Their existence throws the burden of proof upon the other side, and entitles us to ask our opponents, who would preserve the restrictions, why they are to be preserved. It cannot be for the purpose of providing for the celebration of Divine worship in the Colleges; the restrictions are far too numerous to be merely intended for that purpose, and the argument would at the

most apply to about half of the clerical Fellowships properly so called. But even as regards so small a number as this, it cannot be necessary to attach the performance of clerical duties to the holding of Fellowships of the College, and it would be far better that chaplaincies should be created. What reason, then, can be given for the retention of the clerical restrictions? That you have a security for an element of Christianity in the government of the College. But in those Colleges where there is not, nor ever has been, a clerical restriction; there is not, nor never has been lack of Fellows in Orders: at New College, Oxford, for example. Moreover, this argument has been publicly abandoned by no less a person than the Archbishop of Canterbury himself, who, in his place in the House of Lords, declared that under the circumstances of the case it could have no weight. We have been told to leave the matter to be dealt with by the Commissioners, and not to tie their hands. To this argument there are two replies. In the first place, we know the use that Dr. Bellamy and the majority of his colleagues are likely to make of the unfettered discretion, which some hon. Members opposite wish to leave them. On the Oxford Commission we can count only for certain upon two votes, and one of those Liberal votes will be the vote of a Conservative, the hon. Member for North Northumberland (Mr. Ridley). But the real answer to the argument which has been used is that this change is distinctly one of these matters which ought to be dealt with by Parliament itself. It is not one of those questions of University or College discipline as to which Parliament is ill-informed, but it is a matter of public policy with which Parliament is competent to deal. To two Commissions, the composition of which is thoroughly satisfactory to those who wish to see clerical restrictions maintained, there is committed by this Bill the power to preserve them, and even to perpetuate their existence. The restrictions injure the College and the University, by limiting the field of selection, and consequently the standard of capacity. They injure, too, the individual by causing that hypocrisy which it was the object of the University Tests Acts to avoid. They injure the whole nation by giving privilege to a single creed. It is not the abolition of clerical Fellows, but that of compulsory clerical limitations which we propose. To show how completely they misunderstand us who think we wish to exclude clergymen from Fellowships and Headships of Colleges, let me remind the House that clergymen have often been elected to those few Headships of Colleges which are open to laymen, and elected by lay majorities. Those clergymen have been elected to the Headships of their Colleges by lay and Liberal majorities—in cases where laymen could have been preferred—because they were the best men for the post. All we ask is reciprocity, and that Colleges in which the best man for the Headship happens to be a layman should not continue to be prevented by law from electing him, however much his election may be wished. If clergymen are elected to open Headships now, when it might not unreasonably be argued that it were wise to keep the few Headships that are open to laymen in lay hands, it is certain that such elections would be most common if complete freedom were to be given. All we ask is that compulsory restrictions should be removed and the Fellows of each College left free to choose the best man, whether layman or clerk to be their colleague or their master.

New Clause (Provision as to clerical conditions,)—(*Mr. Goschen,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. MOWBRAY hoped the Committee would pause before they assented to the clause which had been moved by his right hon. Friend the Member for the City of London (Mr. Goschen.) The question of clerical Fellowships was a difficult one, and would be much better dealt with in the way proposed by the Government than by the proposal now before the Committee. His right hon. Friend's proposal was totally inconsistent with the existing state of things at Oxford, where several of the Heads of Colleges held ecclesiastical appointments. Perhaps it might be contended that this was a matter which could be met by legislation; but he maintained that the proposition was of far too sweeping a kind for the House to assent to. He could not reconcile with the information he himself had received the statements made by his right hon. Friend with re-

ged to Exeter College. He was informed that of the 15 Fellows of Exeter only one was required to be in Holy Orders.

MR. GOSCHEN said, that perhaps his right hon. Friend might be alluding to the scheme proposed by Exeter College, but not passed into law, under which the clerical Fellowships were to be abolished. That scheme had, he believed, been arrested by a provision in the present Bill.

MR. MOWBRAY explained that he was reading from a statement relating to last year, when there was only one clerical Fellow in Exeter College. The case as regarded the other Colleges was undoubtedly what the right hon. Gentleman represented. He wished, however, to remind the right hon. Gentleman of the proportion in which Fellowships were divided between clerical and lay Fellows. In the year 1859, which was the last year in which the old state of things existed, of the 480 Fellowships, 277 were held by persons in Holy Orders; whereas, at the present time, of 337 Fellows at Oxford, only 116 were required to be in Holy Orders, while as a matter of fact 132 were actually in Holy Orders. With regard to the Memorial referred to by the right hon. Gentleman, on reference to the signatures attached to it, it would be found that they by no means supported the statement of the right hon. Gentleman that there was a very large majority opposed to the proposal in the Bill, and at all events they showed that opinion in the Universities was divided on the question. He denied also the accuracy of the assertion of the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) that the Memorial from Oxford was disingenuous. Of the 138 persons who signed the Petition on the other side 104 were not in Holy Orders. In the Memorial presented to the House in favour of retaining these restrictions and preserving in the Governing Body a majority of the clerical element, there was a greater authority both as to the number and position of the signatories. He therefore considered that it would be an unwise and dangerous thing to adopt so revolutionary a proposal as that of the right hon. Gentleman in opposition to opinion of the majority of the members of the University. To show what that was he would refer to the opinion of Mr. Neate, formerly a Member of that House, who had entertained most liberal views on this question, but who had since declared that the burden of proof was on the side of those who sought to bring about a change on this point. It would be found that all the statutes of the Universities, the expressed intentions of the various founders, and the *genus loci* required that the Universities should be places of religious instruction. The question was, whether they meant to interfere in this way with the Governing Bodies of the Colleges and to make a total change —and it was indeed a total change to depose religion from its present position. He trusted the matter would be left to the Commissioners. It was a difficult and delicate subject, and with great wisdom was left by the Bill to that Body. They would have no power to increase the number of Fellowships, or to make any new restrictions; and the matter was better left in their hands than that the House should consent by the Amendment to sweep away everything connected with religion in the management of the Colleges, and thus cause a revolutionary change in their constitution and government.

MR. OSBORNE MORGAN said, that the right hon. Gentleman opposite (Mr. Mowbray) had forgotten that the Petitions which had been presented showed that the vast majority of the Tutorial Body was in favour of the proposed change. His only serious argument had been that the matter should be left to the discretion of the Commissioners. For himself, however, he considered it a broad question of principle, from which the Legislature ought not to shrink; if they did, he should look upon their action as one of cowardice, and as a desire to shirk the question and to put it on other shoulders. The question had for many years divided Oxford and Cambridge into hostile camps, and it was necessary that it should be settled at once and for ever. If this were not done, he felt certain that it would be brought up again year after year. He had endeavoured to ascertain the actual number of Fellowships affected by clerical conditions—that was to say, of which the holders had either to be in Orders at the time, or to take Orders after their election. At Oxford there were 325 Fellowships, of which 149, or nearly one-half, were

more or less affected by clerical conditions. As to Cambridge, he was not able to speak with equal certainty, but the figures of the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) showed that substantially the same state of affairs existed at that University. That was a very startling proportion, and was only to be accounted for by the fact that it was a relic of the days when these Fellowships were founded, when the word "clerk" meant a man who could read or write. It was a relic of the days when William of Wykeham and John Balliol founded their Colleges. But all that was completely changed, and very recently changed. Twenty or 30 years ago the Colleges were little better than theological seminaries educating men for Holy Orders. At that time four-fifths of the people who were educated at the Universities were theological students, and not more than one-half of the men who were called to the Bar were University men. During the past year at least nine-tenths of the men who were admitted to his own Inn were University men. Merchants and bankers now sent their sons who were intended for business to the Colleges, so that it was clear that there was a large and increasing lay element at the Universities, and a corresponding decrease of the clerical element. He challenged anybody to deny the statement which he asserted as a fact that the best men would not now go into Orders. Again, looking at the question from an academical point of view, it was obvious that the standard for Fellowships must be lowered, if the area of selection was reduced. There ought only to be one standard in these matters, and that was the standard of merit. Were they to choose an inferior man simply and solely because he was a clergyman? "*Detur digniori*" was the only principle which ought to govern the selection. Not that he would in any way wish or attempt to exclude clergymen. He simply desired that Orders should not be a necessary condition, especially as there was no advantage gained by such a restriction. In his own opinion the restriction lowered the standard, degraded the tone of the University, and seared the conscience of many young men who held their Fellowships on the condition of taking Orders. Young men neither were, nor ought to be, like the old Fellow of Brasenose, who used to boast "that he would like to see the oath that he would not take in order to keep his Fellowship." This plan of subsidizing religion and of bribing men to be clergymen was, he thought, a very poor compliment to Christianity. For these reasons, then, because he considered that the present system did real harm and tended to promote the spirit of hypocrisy, he would vote for the Amendment.

MR. BERESFORD HOPE desired to call the attention of the Committee to the very unfair, invidious, and incomplete way in which this question had been projected into the discussion. It had been treated by hon. Members opposite as if the question raised in the Motion stood by itself, and as if it were a proposed measure of reform which was to deal, irrespective of all other University legislation, with this special class of existing Fellowships—on the pretext that reform were urgently called for. But what was the real state of the case? The whole Bill gave ample powers to the Commissioners in each case to deal with the respective Colleges; and, in spite of these broad powers given to deal with the Fellowships in question, the Committee was called upon to fix a stigma upon the clerical element, and in fact to tie the hands of the Commissioners so as to prevent them from dealing with the whole of the circumstances brought before them. The College to which he (Mr. Beresford Hope) belonged, Trinity College, Cambridge, had no clerical Fellowships for which only candidates in Holy Orders could present themselves. It was open to all; and he did not know of a case in which a candidate—except in a few very exceptional cases—could be anything else than a layman, because he must be elected before he had taken his M.A. degree. If, however, he elected not to take Holy Orders afterwards, his occupancy of the Fellowship terminated in seven years after his degree of M.A. It was practically a terminable Fellowship lasting from eight to ten years after election, unless continued by taking Holy Orders; in which case it might be a Fellowship for life for clergymen, with some special privileges attached to a long tenure of certain college offices. He was not prepared to advocate the continuance, without change, of this system for he thought that in the future Fellowships for life must be exceptions, and

not the rule. However, this clause, if carried, would be a great stigma upon the study of theology, and a wholly exceptional provision. He trusted, therefore, that the House would reject it.

MR. TREVELYAN: Sir, there is one point in this question on which much stress has not hitherto been laid, but to which the Committee would do well to direct its attention. During this Session, and the last, the aspect of the University question, which has been discussed most copiously, and, I think, most effectually, has been the different methods by which the funds of the Universities might be used to encourage men of high genius to devote their lives to study and research. Now, Sir, I am justified in saying that the opinion of the Committee was that we should not be parties to founding a sort of hierarchy of sinecures, to be held by men of all ages, from youth upwards, which would have to be filled, whether there were men fit to fill them, or whether there were not. But, on the other hand, we were all pretty well agreed that, in the case of a man who, by the books which he had written and the discoveries which he had made, had given unmistakeable proofs that he was inspired by the genuine ardour of letters and science, we should be glad if means could be found to relieve such a man from the hard struggle for a livelihood, and enable him to devote all his time and all his energy to the studies in which he excelled. Now, Sir, a great deal might be said as to the expediency of retaining the Headships of Colleges on their present footing. But as long as our Headships of Colleges are what they are, what better use can we put them to than to make them into posts that may be held by men of acknowledged learning and distinguished genius? What would add more to the reputation and prestige of our Universities than that the Masters, and Wardens, and Provosts should be scientific men of the stamp of Professor Owen and Professor Tyndall, or literary men of the fame of Mr. Grote or Mr. Hallam? Men who have proved that they love work for its own sake, and that they work to good purpose, are the very men for those positions, which would provide them with the rewards which they have so well deserved and the leisure which they so well know how to employ. But as long as you keep up the condition of Holy Orders in the great majority of our Colleges, such men as these are absolutely excluded from functions which they would so admirably exercise. But it will be said that there are many divines who come within the category of men who have a claim to the enjoyment of learned leisure. Well, Sir, for learned divines there surely are sinecures enough within the pale of the Church itself. I do not know any ground upon which the existence of deaneries and canonries can in these days be defended, except that they provide means for rewarding and utilizing such men as Dean Stanley, and Dean Milman, and Canon Kingsley. Surely, then, we do wrong in cutting off from eminent laymen their one and only prospect of obtaining such a position, by insisting that no one shall be at the Head of Balliol, or Christchurch, or Trinity, except he be in Holy Orders. Why, Sir, we are not without example of how nobly these places would be filled if their occupants could be chosen from the broad field of secular life. In the great Elizabethan era, when genius and learning were held in more veneration than they appear to be held now, the conditions which required Holy Orders as a qualification for holding the Provostship of Eton College were for a time relaxed. And with what admirable results? In 1595, Sir Henry Savile, who is described as the most learned Englishman in profane literature of his day, and whose knowledge of Divinity was so extensive that he went by the name of the "lay-Bishop," was appointed Provost; and during his tenure of office Eton was honourably known as a centre of letters throughout the European world. Sir Henry Savile was succeeded by one Dr. Murray, a clergyman, who died soon after his appointment; and the next candidates for the post, seven in number, were all of them laymen, and all of knightly rank. One of the candidates was no less a man than Lord Bacon, who, to use his pleasing expression, regarded the Provost's house as "a pretty cell," in which he might spend his declining years. It was not that he intended to be idle and indifferent to his duties. "The College," he writes, "I do not doubt but I shall make to flourish. I could do as much good to the College as another, be it square cap or round." In the end the choice fell upon Sir Henry

Wotton; a famous traveller, linguist, and diplomatist, who did much to keep up the repute of the Provostship. And the line of eminent Eton Provosts might have remained unbroken to this day, had it not been that the possession of Holy Orders was once more made a necessary condition, in consequence of the increased respect in which religion was held in the moral and virtuous Court of his sacred Majesty Charles the Second. Sir, if the Headships of our more celebrated Colleges were once thrown open to the acceptance of laymen, there is no limit to the eminence of the men who would welcome the opportunity of filling positions at once so honourable and so desirable. It may be said that it is of importance that the Head of a College should be able to address from the pulpit the members of the Body over which he presides. But, Sir, as I have the honour of addressing an Assembly of practical men, who take things as they are, I venture to appeal to hon. Gentlemen and ask them whether it ever has been known that the Head of a College makes use of the pulpit to exercise over the young men that powerful, that salutary influence which Head Masters of our public schools exercise over their pupils. Anyone who was under Dr. Arnold, at Rugby, and Dr. Vaughan, at Harrow—anyone, I will venture to say, who has been at Harrow under the present régime—will admit the immense advantage which a Head Master enjoys who can every week or fortnight address the school in the character of its religious guide and adviser. But anyone who knows our Universities will allow that such influence has rarely indeed been exercised by the Head of a College; and I am one of those who think that, with the ecclesiastical world in the state it is now, such an influence would be by no means without its dangers. Another reason for passing this Amendment is, that as long as half our Fellowships and two-thirds of our Headships are more or less subject to clerical restrictions, so long the clerical element will be so dominant at our Colleges that education itself will suffer. The money which ought to go to encouraging learning, goes to improving the position of the ex-Fellows who hold livings, and the prospects of the existing Fellows, who hope to hold them. It has been calculated that five Colleges alone spend more than £20,000 a-year on improving their livings; a sum of money which, I am afraid, far exceeds that which this Commission, whatever its powers may be, will contrive to extract from those Colleges for the advancement of science and learning. This country is not so poor, nor are its inhabitants so indifferent to the interests of religion, that it cannot afford to pay for its system of public worship without trenching on the funds which ought to be used for the spread and maintenance of public education; and one of the certain results of removing these clerical restrictions is, that we should gradually get together in each College a body of Fellows who would be ashamed to divert our not too-abundant educational resources, for the purpose of enriching the livings which they are themselves to hold. Sir, when the University Tests Act was carried through the late Parliament, a pledge was, as it were, given to the nation that this House disapproved of the existence of religious tests. If that is not so, what meaning is there in the Preamble which heads that Act? But the maintenance of clerical Fellowships involves the existence of a religious test of the most stringent nature, which has, in addition to the evils of other tests, certain still greater evils peculiar to itself. At many Colleges in both Universities, including the two Colleges which stand far at the head of the Cambridge list in numbers and importance, a layman is permitted to win a Fellowship and keep it for a certain number of years; but at the end of that period he must either take Orders or leave the College. Sir, let hon. Gentlemen just picture to themselves the meaning of this arrangement. You take a young man, who, in most cases, comes from a family which is rather poor than rich; you allow him, as the reward of industry and ability, to obtain a position as enviable, in many respects, as any position in the world—a position on which, from the height of their fame and prosperity, many of our most eminent statesmen and lawyers have looked back with fond regret. You make him one of the masters of a renowned and rich institution. He is lodged in buildings with which nothing in our domestic architecture can compete except the country seats of a few of the most fortunate of our most ancient nobility—kitchens, cellars, and

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stabling—everything about him is provided with the taste and comfort natural to an establishment where a community of wealthy bachelors have been living for several centuries. He has at his command libraries of European reputation, and gardens which possess a charm of their own that can be found in no other gardens in the world. And when he has lived for six, or seven, or ten, or fifteen years amidst all this luxury, mental and material; when the habit of so living has become part of his nature, and he can no longer do without it, then you tell him to leave this Paradise, and go forth into the world at an age when it is almost too late to commence a fresh career, unless he is prepared to say that he is inwardly moved by the Holy Ghost to take upon himself the office of the ministry. Sir, this is a temptation to which we have no right to expose anyone. For the sake of the individual, and for the sake of the Church itself, I think we ought to put a stop to this device for entrapping recruits into the ranks of the clergy. The clergymen whom you get by this method are no longer worth having. Public feeling, on these topics, has changed; and it is time that our legislation should change with it. There was a time when a young man who wanted to keep his Fellowship had no scruple whatever about joining the Church. A College Fellow used to take Orders as naturally and lightly as a Member takes the oaths at this Table. But it is so no longer. On this question it is, of course, impossible to quote statistics; but I appeal to the personal experience and observation of every University man in this House, who is under five-and-forty, to say whether it is not the case that a large—a very large—a quite preponderating proportion of the most distinguished men at our Colleges are unwilling to become clergymen under the same circumstances as formerly. They are willing to take Orders, if they intend to devote themselves to spiritual ministrations. They will not take Orders that they may qualify themselves for holding an educational post. Do you want a proof? Look at our public schools. Twenty years ago almost all the under masters were in Orders. Now, not even the immense temptation of succeding to the Headmastership of Eton, Harrow, and Rugby, will induce many of our most able and efficient under masters to wear the white neckcloth. The result of making Orders a necessary qualification for holding a Fellowship or a Headship is not that you bring good men into the Church, but that you keep the best men out of the College. If there were a Fellow of Trinity who was engaged on writing a history which would rival Thirlwall; if there were a Fellow of Saint John's who was engaged in prosecuting discoveries of equal value with those of Herschel or of Adams, when his term of grace has expired, he must take on himself the vows of the Ordination Service—vows which mean nothing, if they do not mean that he is to leave his studies and devote himself henceforward to the spread of religion and the salvation of souls—or he must give up his Fellowship, and fall to writing leading articles for his daily bread. Sir, if these clerical Fellowships did attract into the Church any great proportion of the talent and the energy of the country, I should still oppose their maintenance, on the ground of justice to our Nonconformist fellow-countrymen; but the object of the remarks to which the Committee has so kindly listened has been to show that it is in the interests of University education, and, as I venture to think, in the still higher interests of truth and morality that we should support the Amendment of the right hon. Gentleman the Member the City of London (Mr. Goschen).

MR. HANBURY said, that although he felt a good deal might be said in favour of the Amendment, insomuch that he could not vote against it, yet he did not feel himself justified in voting for it, as it included clerical Headships to which he saw no objection. He objected altogether to clerical Fellowships because he believed that practically they were most mischievous. If he thought that those clerical monopolies, which were not monopolies of the Church as such, but only of a small portion of it, were of any kind of use to the Church, or were even merely harmless, he should hesitate to vote for their abolition; but he was convinced that they were positively mischievous to the Church and to the Fellows themselves, and of no sort of use to the University. His objection was founded on practical grounds, and arose from the altered circumstances of the last 20 years. During that time those

Fellowships had tended to become more and more isolated monopolies of a narrower and narrower character. It was an undoubted fact that, in the first place, the best men did not enter the Church in such numbers now as they formerly did; and, in the second, that the picked men who took Orders competed, not for monopolies, but for open prizes; and those clergymen who competed boldly for open Fellowships did the Church much greater honour than did those who depended upon the nursing system of close Fellowships. The sweeping away of the latter, which had indeed become "idle Fellowships" would not, he believed, affect the religious teaching of the Universities, as they would still have lectures, daily services, and the teaching of Professors and Fellows who had gained their prizes in open competition. If they even had to choose between idle laymen and idle clergymen, he would be inclined to give the preference to the former; but it was those clerical monopolies which had a tendency to create idle Fellowships. He knew that a good many men who had won these clerical Fellowships took work as curates; but the direct tendency of the system was to put £200 or £300 a-year into their pockets and to require no clerical work from them in return. A successful candidate might go "loafing" about the world doing nothing, and yet he was told that, although he might do nothing for the best years of his life, he would, if he lived, ultimately fall into the possession of a rich College living. It was a mischievous and almost a fiendish thing to dangle such a temptation before a man's eyes as an inducement to him to take Orders, and it was almost worse when, after being for many years in the enjoyment of such a Fellowship, he was told that he must either renounce it or go into Holy Orders. The system was condemned by the Commissioners of 1854, and condemned unanimously in the case of Oxford, and this condemnation ought to have great weight with Parliament. If the temptation was great at that time it was much greater now, and a point deserving consideration in connection with the question was that Parliament had lately, within the last 10 years, made it as easy for a man to divest himself of Holy Orders as to divest himself of an old shoe. Another consideration deserving of notice was, that owing to the nature of the education now given at Oxford, easy and ingenious methods had been discovered of explaining away the responsibility incurred in signing the Thirty-nine Articles. But while he objected to these Fellowships he did so entirely on practical grounds, and had no sort of sympathy with those who said that these privileges of the Church of England should be swept away in deference to the Nonconformists; and it was because he did not see that the same objection could be made to the clerical Headships as to these Fellowships that he could not, as he had said, give his vote.

MR. GLADSTONE: I so far agree with the hon. Member who has just sat down (Mr. Hanbury) that this question is by no means free from difficulty; but I do not feel entitled to relieve myself from that difficulty by the method he proposes to adopt—that of not giving my vote upon it. I will state my own views impartially on the question. In the first place, I feel a great difficulty in admitting the force of the argument of the right hon. Gentleman the Member for the University of Oxford (Mr. Mowbray), who says—"Let us leave this matter to the Commissioners." I am rather disposed to say, whatever we do, we ought not to leave this to the Commissioners without an indication of the general view and sense of Parliament. The questions of principle involved in the Motion in one way or the other, and likewise the questions of practice, are of such importance that I hardly feel justified as a Member of Parliament in desiring to shift the responsibility of deciding them to a body, however responsible or well chosen, whom I am not disposed to invest with unlimited legislative power in a matter of so much consequence, and lying so near the foundation of the whole of our academical system. There is, I think, considerable weight in the representations from the University on both sides; but I cannot fail to be struck with the large number of persons practically conversant with the actual work and instruction in the University who have signed the application in favour of the removal of restrictions which certainly, I think, have the effect of giving somewhat greater relative weight to the desire that they have expressed than could be assigned to it on the ground of the mere ma-

jority—not a very large one—in numbers which their body possesses. It is rather remarkable that we have this fact before us. If we go back to the period preceding the Act of 1854, I do not think it will be found that there was in existence in the University of Oxford at that time a single case in which a person in taking a Fellowship was called upon to declare his intention ultimately to take Holy Orders. For some reason, which the Commissioners under the Act of 1854 found to be cogent, they have introduced a system which is very largely or altogether new, and under which a preliminary pledge is asked of the candidate for the Fellowship that he will make use of his Fellowship in order to bring him into the Clerical Profession. I own it appears to me that there is great force in the objection taken to the exaction of that pledge at so early a period of life as that at which most young men become candidates for Fellowships. At the same time, if the other system be preferable, as possibly on the whole it may be, it would be extremely difficult to revert to it after receiving something like an authoritative condemnation in the fact of its having been abandoned by the Commissioners and Colleges of a former period, who certainly were well qualified to discharge their duties, and to weigh the arguments for and against on all questions which they decided. On the other hand, I cannot but feel that there is a great deal of force in what has been said by the hon. Gentleman who has just sat down, and by my hon. Friends on this side of the House, as to the various dangers, which are partly anticipated, and partly witnessed, in using this method for securing a due infusion of Clergy into the Teaching and Governing Body of the University. We have it represented that clerical Fellowships are in danger of partially losing caste, and that the practical operation of the test at this moment is in certain cases to induce men to enter into Holy Orders without that deep sense of the responsibility of the step they take which undoubtedly distinguishes the Clergy in general. If I go back to the time, half-a-century ago, when I was myself conversant with the practical life of the University of Oxford, I cannot say that at that time there was any evil attendant on the system of clerical Fellowships, although the restrictions then imposed operated more largely than at present. And, though I am far from saying that the system of the University was perfect, or that the tone of the entire resident Body was everything that could be desired, yet I cannot say, on the other hand, that any serious amount of evil could be traced to the existence of clerical Fellowships. I am afraid that is not now the case; and I think there is considerable force in what the hon. Member who has just sat down has collaterally introduced—namely, that the legal, I will say nothing about the ecclesiastical, character of the clergyman is not now a character assumed once for all, but it is a character of which he may divest himself. So that, by the system of clerical Fellowships, we are now in the position of offering a very great pecuniary and temporal inducement to a man to engage that he will go into Holy Orders for the sake of obtaining that position, when he has a perfect knowledge that at a time when his mind may take that direction he may divest himself of the clerical character, and so in effect neutralize and frustrate the pledge he has given. Considering all the difficulties inherent in the case, I am disposed on the whole to go with my right hon. Friend the Member for the City of London (Mr. Goschen), and to say that I would not rely upon the absolute holding of Fellowships by clergymen for securing objects which I, nevertheless, feel to be of great importance. What are the objections? The Memorial circulated, which is largely signed in favour of leaving this matter to the discretion of the Commissioners, professes the desire of the memorialists that there should be a certain proportion of Clergy in the Teaching and Governing Bodies of the Colleges. To that it is answered that there will be a certain proportion, because by the Tests Act we have enacted that provision shall be made for religious instruction and worship at the Colleges. But, so far as religious worship is concerned, it is not provided by law that the offices that may be established for the conduct of worship in College chapels shall be offices connected in any manner with the Governing Bodies; and I conceive that chaplains not belonging to the Governing Body, nor forming essential parts of it, but simply appointed to discharge duty in the chapel, however excellent in that

personal character, are of no influence whatever, and in no respect able to give a tone to the Governing Body. Then it is said by my hon. Friend the Member for the Border Burghs (Mr. Trevelyan) that a layman may be a theologian. That I do not doubt, and we have an instance in the distinguished Archbishop of Syros and Tenedos, whose name was well known at the time when he visited this country, who was a theologian long before he became a clergyman, and who had been even a Lecturer and Professor of Theology without having taken Holy Orders. But what I have in view is this—The University and the Colleges are teaching Bodies, which undertake not only to give instruction within the four walls of the lecture-room, but to take charge of the lives and conduct of the young men. And, therefore, I have to consider whether, with regard to the composition of these Bodies, anything further is required than the adoption of the rule *detur digniori* in the disposal of Fellowships. There is not, if we give a sufficiently large meaning to the latter word. Although I have long laboured to promote the application of simple unmitigated competition to what I may call all junior offices and emoluments, yet when I have to speak of the permanent or senior members of Teaching Governing Bodies, I cannot say that the result of any examination at all constitutes a sufficient test. I throw over the sectarian question altogether. I am not thinking of any sectarian distinction, for I believe that not in every case is a clergyman better than a layman; but looking at the matter broadly, with regard to the Colleges of Oxford, governed by men, many of them young, living together, I have not the smallest doubt that the presence of a considerable number of clergymen in these resident Bodies is of the highest importance for their efficiency as Teaching Governing Bodies, not merely for scholastic instruction, but the great business of discipline. There is one argument I should like to use, and it is not devoid of importance. Allusion has been made to the body of junior masters of our public schools. But in hardly any case since the election of masters has been made entirely free have the trustees gone beyond the Clergy for the Head Master. This is a fact of considerable weight. The Governing Bodies of the public schools have no motive but to secure the highest efficiency and prosperity of the school, and they have found it for the interests of the school, as a general rule, to commit the principal charge to a clergyman. It may be said that one objection is that the Motion includes the Headships. But I cannot draw a fundamental distinction between Headships and Fellowships, for there is no part of the Oxford system that requires a more drastic application of principles of reform than the Headships. What I hope to see is the Head of every College in Oxford, with the exception, perhaps, of the Dean of Christ Church, whose position is exceptional, become the mainspring of the whole governing discipline and instruction of his College, and contributing to those as largely and efficiently as the head of any public school now does to the government and instruction of that school. Having made the admission I have made, that an infusion of clergy in the resident Bodies is of the highest importance to their efficiency, I may be asked how I propose that that end shall be gained, if I no longer look to attain it by means of clerical Fellowships. I do not look to attaining it simply by the provisions in the Tests Act that there shall be certain officers for religious worship and instruction; but it appears to me there are two things which ought to be clearly borne in mind by the Commissioners who will have to act under the Bill. First, I assume that all Fellowships will, in one sense, be open; that many will be simply Fellowships of reward—prize Fellowships, partly for what has been attained, and partly with a view to further attainment. Now, I think that in the allocation of Fellowships for special studies, which of late years has been a feature of University improvement, a fair proportion ought to be distinctly assigned to the study of theology. This does not import the clerical test. Independent of the question whether there was an intention to take Orders, there would be no pledge; but they would contribute to the stock of men among whom candidates for Orders would be found. In proposing examinations in theology, as in other subjects, I do not propose to treat it as a test of the theology of this or that particular Church, but simply as a proof of the knowledge or the acquirements obtained in that particular study, and I am assuming that the choice for a

Fellowship will be in many cases distinct from a choice for an office admitting into the Governing Body of a College. I assume that the first admission to a Fellowship is one thing, and the admission into the senior Governing Teaching Body is another. I therefore come to consider what should be the test of admission into the permanent Teaching Governing Body; and the only test I would propose is that it should be founded not on the results of examination, taken simply, but on general fitness to promote the purposes for which the College was founded as a place of religion, education, and learning; and I think this will lead to the admission of a large number of the Clergy as members of the Governing Body. Under the Act of 1854 we have retained, to my very great regret, this most exceptionable system of Fellowships for life. There is therefore now but one door to the Governing and Teaching Bodies, and that is more and more exclusively the mere result of examination. There appeared to be an impression on the passing of the Act of 1854 that Fellowships should be disposed of according to the simple result of the examination papers sent in. I wish to render my testimony that there cannot be a more complete mistake as to the intention of Parliament. What the legal effect of the Act may be I do not know—what interpretation has been put on it by the Commissioners I do not know; but having been concerned in the drawing of the Bill and having had charge of it, I am perfectly justified in asserting, so far as any individual can speak for the intention of Parliament, that it was not the intention of Parliament that in the election to Fellowships, which is the only door to the Governing Body of the College, the mere results of examination should be attended to. I repeat, I think the test of admission to the permanent Governing Body should be general fitness for the purposes designated as the purposes of the College. That would in no sense be theological; it would not be professional; but they would look to all the qualities which give weight and efficiency to men who teach and govern; and the result, I believe, would be that they would get a fair proportion of clergymen in those Governing Bodies. There is another point which it is important to consider—the composition of the choosing body. I have very great doubts whether simple co-optation in each College would be entirely safe as the exclusive method of choosing the permanent Teaching Governing Body. The junior Fellows can hardly be considered a dominant influence in the choice of those who are to be the senior Governing Body; if the choice is not to be made by the whole body of the Fellows, it will be made by a very small body—the permanent and senior Fellows; and I question whether it will be safe to allow a small body to proceed by co-optation. It may be necessary to call in assistance from beyond the College walls, either from the Professorial faculty, or some other influence, in order that the most efficient choice may be made. I have thought it right thus to point out what should be the objects we should have in view, for we cannot afford to lose any of the moral weight of the Governing and Teaching Bodies. I do not say that as regards the teaching, discipline, and character of the Governing Body at Oxford there is any clamant evil; but there is an evil against which precautions may justly be taken, when we are providing means for the modification of the present system. My position is this—I most distinctly and strongly desire that among the governors and teachers of youths in the Colleges of the University there shall be a considerable infusion of the Clergy. The mode of securing that, as it now stands, I am not prepared to defend, and, consequently, I shall give my vote for the Amendment of my right hon. Friend.

MR. GATHORNE HARDY said, he felt he had no reason to complain of the course which the debate had taken from the beginning. It had been entirely free from those asperities which had occurred before. But he would venture to recall the Committee to the position in which the question now stood. In 1871 the University Tests Act was passed, and a provision was inserted in the 3rd clause which retained the rights of all those who took Holy Orders to the advantages which they possessed at that time. Those rights had, to a certain extent, been interfered with by the Act of 1854 and the ordinances made in consequence of it, and clerical Fellowships had been very materially reduced. At the time when the new order of things came into force the number of clerical Fellowships was stated at nearly

one-half, or 270, as against 480; and he believed that at present there were only 116 of these Fellowships, and they were not all provided for in the same way. In some cases a pledge was taken at once, and in others there were Fellowships which were held for a certain number of years, and the holder was then called upon either to take Holy Orders or give up the Fellowship. It was very rare indeed that the holder was called on contemporaneously with his election to declare that he would take Holy Orders, it being the general rule that he became a clergyman before the time expired. It was not necessary to go into a defence of the present system. But almost everyone who took Orders could make up his mind at 22; a vast number became deacons at 23. They were not called upon to elect before other young men chose their profession. In every profession there would be men who had sought their emolument in a way others might think improper. But single instances were by no means conclusive as to the general result. There might be exceptions, but his belief was that the men who did take clerical Fellowships did, in the main, devote themselves to clerical duties, and it would be found that they not only undertook the duties, but that they discharged them with zeal and efficiency. What was the result of that discussion? He did not propose that the Bill should retain everything exactly as it existed at present in the University of Oxford, or that there should be the same number of clerical Fellowships in every College for the future as there was now. On the contrary, he would say now, what he had said on the introduction of the Bill, that it was an academical Bill, and that if it had been a measure proposing to deal with religious tests he should not have brought it in. He must repeat that it was a purely academical Bill, which put into the hands of the Commissioners the means of improving the Universities in various ways, as places of religion, education, and learning, and they would have the power among other things of altering the conditions on which Fellowships were held; they would be able to make, if they thought it desirable, a different mode of entering and retaining the Fellowships from what there was now. It seemed to him that in dealing with the question of religious instruction it was most material there should be members of the Colleges who, in discussing the statutes, would be able to call the attention of the Commissioners to the circumstances of the Colleges with respect to that point. It should also be remembered that the Colleges were not merely teaching Bodies. They were disciplinary Bodies, taking charge of the young men at a time when it was most important that, in order to influence their minds, a wise discipline should be exercised, and the Commissioners therefore would have the means of inquiring into and of dealing with not only the permanent teaching Bodies of the Colleges, but the disciplinary Bodies also. It was said that by this means we should get nothing but inferior men. Two arguments were used—one was that the best men went into other Professions, and that men superior not only in intellect, but in morality, would not take Holy Orders for the sake of gaining clerical Fellowships. His own impression was that though there might be exceptions, yet as a general rule there was no special exemption which would prevent men from making immoral bargains, although they were possessed of the highest intellect. High intellect did not necessarily involve the highest morality. And when it was argued that a preliminary pledge was immoral, his answer was that that was just one of the things which the Commissioners would have power to alter if they should think it necessary. He could recollect when he was at Oxford that many of the clerical Fellows were men who exercised the most beneficial influence possible on the young men in every part of the University. He knew there were such men now, and it was quite a mistake to suppose that the present system had produced anything like the results which hon. Members opposite had imputed to it. He quite agreed with those who said that chaplains would be the worst possible substitutes for the Governing Body of the Colleges, and he remembered several cases in which chaplains were not held in the same respect as the Governing Body. It was not necessary to go into the question of co-optation raised by the right hon. Member for Greenwich, as it did not affect the issue now before the Committee. But what he wished to impress on the Committee was that this Bill must be treated simply

as an academical Bill. If it were true that the interests of education were suffering from the existence of these clerical Fellowships, it would be in the power of the Commissioners to diminish or abolish them. If it was found that they exercised an influence hostile to intellect and morality in the University it would be in the power of the Commissioners to alter them. They would, in short, be competent to deal with everything. The right hon. Gentleman the Member for the City of London (Mr. Goschen) proposed to tell the Commissioners in the most peremptory manner that these things should not endure for a moment; and, therefore, so far from agreeing to the clause, he (Mr. Hardy) could not assent to it even in the smallest proportion, because it was taking the most perilous step of abolishing the whole system, which, it should be remembered, was but the remnant of a state of things in which the Clergy had much greater rights. It was said that no condition should be imposed in any instance or in favour of any Headship. That would include the Dean of Christchurch, which he thought very objectionable, as it would separate the Deanery of the Cathedral from the Headship of the College. As he had said, the Committee ought to leave this question to the Commissioners. He thought that a great concession to hon. Gentlemen opposite, and beyond it he was not prepared to move.

THE MARQUESS OF HARTINGTON said, he would not detain the Committee for more than a few minutes; but he thought it worth while to point out that during that extremely interesting discussion not one single speech had been made on either side of the House in which any hon. Member had stood up boldly in defence of clerical Fellowships. It was true that various objections had been taken to the clause of his right hon. Friend (Mr. Goschen)—that it was too short, that it was too sweeping, too peremptory, and so on; but the real objection was, that it pointed out its object too clearly—that it would take away clerical Fellowships, and not a single Member had stood up in their defence. But the question was, what course did the Government intend to pursue? They said that that was one of those matters which must be relegated to the Commissioners; but that would be an abdication by Parliament of one of its most important duties, without giving the slightest indication of what its mind or intention was. It should be observed, too, that no indication had been given of the mind of the Government. They had not defended the retention of clerical Fellowships or Headships, and he gathered from the speech of the right hon. Gentleman that they were perfectly prepared, if the Commissioners should recommend the abolition of clerical Fellowships and Headships, to consent to it. The matter was left entirely to the discretion of certain Commissioners; but the Committee had a right to know, at all events, what was the opinion of the Government on the question—whether the Commissioners were to be invited or encouraged to recommend the retention of those clerical Headships or Fellowships, or whether they were perfectly free to recommend their abolition. His right hon. Friend the Member for Greenwich (Mr. Gladstone) had made several suggestions, by which he thought the evils arising from the competitive system might be avoided. Those suggestions would be most worthy of the consideration of the Commissioners; but he did not think his right hon. Friend's object would be attained, or that his right hon. Friend himself believed it could be attained, by the retention of a system of tests, the only effect of which could be to lower the standard, both intellectual and moral, of those gentlemen who were in future to form the Governing Bodies of those Colleges. Holding that opinion, he had no hesitation in voting for the clause of his right hon. Friend.

Question put.

The Committee *divided*:—Ayes 138; Noes 147: Majority 9.—(Div. List, No. 148.)

MR. FAWCETT said, that he had not, during the discussions on the Bill, taken up much of the time of the Committee, but he would now propose the Amendment of which he had given Notice, that—

"Nothing in this Act shall authorise the Commissioners to reduce the existing number of Fellowships in any College or Hall."

He submitted that, as they had appointed Commissioners, they should entrust them with the more important

details which they would have to carry out; but his Amendment raised a question of fundamental importance—it was a question of principle, as to whether they should otherwise appropriate those magnificent endowments which had been derived by the Universities from the munificent donors of the past. Those who had resided at the Universities could not but have been struck by the fact that there was a powerful party there who desired to destroy the Fellowship system. He spoke of that party with the utmost respect, because amongst it were many of his friends, and they belonged to that Party in politics of which he was a member. But there was no political issue raised by his Amendment, and, with regard to the Commissioners, he should go as far as anyone in the object of improving the rules and raising the standard of intellect in their Universities, Colleges, and Halls, and the object of his clause was entirely intended to operate in that direction. He thought it of great importance that the endowments of the Colleges should be carefully guarded and administered; and in reference to them and other matters, he might state that in discussions at Cambridge he had been jocularly described by some of his friends as being even a worse Tory than the two Members for the University; but whether that was so or not, he would be able to show that this was not a Party question, and he could advocate his Amendment with perfect consistency to the opinions which he had always held. There would be this practical question which the Commissioners would have to consider, and which would have to be considered by the Universities. The object of the Bill was that from every College endowment the University should be able to obtain a certain sum of money which should be applied to a general fund. But the practical question was, from what source was that sum to be obtained? If a College was called on to supply £1,200 a-year out of its corporate funds for University purposes, the amount might be found by the rough expedient of abolishing four Fellowships of the value of £300 each, or by reducing the value of existing Fellowships, or, again, by appropriating a portion of the increment accruing upon the income of College property. Now, the danger against which he wished particularly to guard was that the University should be assisted by the sacrifice of existing Fellowships. If such a thing were allowed, it would encourage a certain amount of selfishness, because the existing Fellows would be able to assist the University, without contributing a single penny themselves, but simply at the expense of their successors and of those students of promise who were looking forward to a Fellowship as a legitimate reward. It might be said that Cambridge and Oxford now had a superfluity of Fellowships; but he wished most emphatically to deny that allegation as far as his own University was concerned. At present there was no such superfluity at Cambridge, where no Fellowships were conferred on those who did not deserve them; but, on the contrary, with an increasing number of distinguished students coming to the University they had not enough Fellowships to reward their intellectual achievements. Since he first entered Cambridge, a quarter-of-a-century ago, the number of Undergraduates had nearly doubled, and the number of men reading for high honours had increased in a far greater ratio. Moreover, it now required far harder work and more lengthened study to obtain a position in the first 10 Wranglers or in the first 10 of the Classical Tripos than it did 25 years ago. Again, since he had known the University at least three or four new Honours Triposes had been called into existence, and every year the standard in them had been raised. Now there were an important History Tripos, a Law Tripos, a Natural Science Tripos, a Moral Science Tripos, &c. During the last quarter-of-a-century not a single Fellowship had been conferred at Trinity College, Cambridge, on a student who had not obtained the highest honours, and in consequence of the paucity of Fellowships many a man had to be rejected on whom the College would have liked to bestow such a distinction. As an example he would mention that there was a student recently at Trinity whose conduct he knew was unexceptionable, and who obtained a most distinguished position—that of fourth Wrangler of his year—but so few were the Fellowships that Trinity had to bestow as rewards for meritorious study, there was not a Fellowship to be bestowed on a student so distinguished as the gen-

tleman he referred to. It was, therefore, idle to pretend that there were too many Fellowships in the University. At Cambridge, hitherto, as a general rule, no one had been able to obtain a Fellowship unless he had secured distinction either in the Classical or the Mathematical Tripos. His own College, Trinity Hall, was often described as a "Law College," yet during the last 20 years, so far from having any superfluity of Fellowships, they had never been able to give a single Fellowship to a man who had distinguished himself in the Law Tripos. Those holding advanced views on education wished the new Triposes to be encouraged; but if they had not enough Fellowships to confer on those who obtained the highest positions in those Triposes, what chance was there of their acquiring the prestige which would attract the most distinguished students in the University? It might be said the Bill would increase the number of vacant Fellowships from year to year, because one of its chief objects was to limit the term of their tenure. But, on the other hand, it was contemplated by the Bill that those who were doing educational work in the University and the Colleges, such as Tutors and Lecturers, were to continue to hold their Fellowships, even although they became married men. Thus they would diminish the number of vacancies by allowing more Fellowships to be held by men filling permanent offices in the University. The opponents of Fellowships argued as if the present system was to remain unaltered; but, as a matter of fact, there was now a general *consensus* of opinion in favour of a limitation of the tenure of Fellowships. In his opinion, the term of tenure of non-resident Fellowships should be limited to seven, eight, nine, or ten years. He also thought that all celibate restrictions on these non-resident Fellowships should be abolished; but he thought the last thing they ought to seek to abolish was the Fellowship system itself. Prize Fellowships enabled the child of the poorest parents to begin the battle of life by the unaided powers of his genius, on equal terms with the children of the richest, and without seeking the favour of the great. He did not know whether it was Toryism to preserve such an institution; but whether it was Toryism or not, he thought they should be anxious to defend a system which was the means of conferring important benefits on deserving students. Having been fortunate in obtaining a Fellowship himself, he was too conscious of the benefit it had conferred upon him, and should ever prize it too highly, not to be anxious that others should not be deprived of the same advantages. He begged to move, therefore, the clause of which he had given Notice.

MR. BERESFORD HOPE said, he could find no flaw from first to last in the argument of his hon. Friend the Member for Hackney. If the multiplied Honour examinations—Triposes or Schools as they were respectively called at Cambridge and Oxford—were to take their places alongside the ancient and well-established ones, there must be a correlation of reward for the men who came out of them with distinction, and that could not be obtained if the number of Fellowships were to be diminished. But while warmly sympathizing with the Amendment and its object, he would ask his hon. Friend to consider whether it would be politic for him to divide the Committee at this unfortunate middle part of the evening, and in the then deserted state of the House. A division taken under those circumstances would be no test of the feelings of the Committee, and would be apt to be misunderstood. If, however, his hon. Friend did go to a division, he should feel it his duty to vote with him.

MR. COURTNEY remarked, that when the Bill was brought into the other House last Session the prime object suggested by Lord Salisbury was the taking away of certain funds from the Colleges and diverting them to the Universities; and although that object might have been attenuated considerably by the noble Lord's Colleagues, it constituted the reason why this measure was approved by some of the most ardent spirits at Oxford, and by some also, he believed, at Cambridge. The main purpose proposed to be served was the endowment of certain Professorships. There were not to be Professorships in the ordinary sense of the word, but offices created for the purpose of developing research in particular subjects. The chief object was to have in the Universities certain persons whom people might consult on certain branches of

study. For example, there might be Professors of Chinese, Pali, and Pushtu, appointed not to teach those languages, but in order to enable the Universities to say—"Here is our man who knows Chinese, or Pali, or Pushtu." He contended that prize Fellowships were to a large extent the very centre and stimulus of the whole educational machinery of the Kingdom. In the course of this Committee there had been a good deal of talk about the functions of a University. Many men went there to obtain a degree and to enter by the easiest way the ministry of the Established Church. Another function of a University was to occupy a certain portion of the time of the *jeunesse dorée* of the Kingdom, and, of course, as long as this class of young men come up, the examinations must be adapted to them. Then there was a third class, that of the lads who began at the various schools and passing through higher schools reached the University by means of the local and other examinations which had been established during the last 20 years. Boys from all schools throughout the country came in to compete for the minor Scholarships which not a few of the Colleges had established, and they were thus enabled to go to the University, and to pursue their studies there, and eventually to find the highest positions in the world open to them. There were numerous instances in which boys who had got to the University in this manner had succeeded in attaining the position of Prelates, Judges, and even of Ministers of State. This was not a new process, and he need only refer to one illustrious case—that of Prior, who, having filled the office of British Ambassador at Paris, had retired to his University to end his days amid the associations he had formed in early life, but by the abolition of limitations and preferences in favour of particular localities the competition throughout the country had been immensely developed in the present generation. In this way the relations of the whole social organization of England were kept healthy and strong, while careers were opened to all classes of boys, so that each might be said to carry his fortune in his satchel. No one defended life Fellowships, still less would he, and at Cambridge they were gradually going out of favour. At St. John's College there were only two life Fellowships tenable by laymen, one of which was held by himself, and to those two no more life Fellows would be appointed. He must express a strong opinion in favour of Fellowships tenable for seven years, which he preferred to any fanciful Professorships that could be devised. He was most anxious that the system from which he had derived such great advantages should not be swept away; and he looked with some alarm to the possibility of the predominance of those opinions which prevailed at Oxford, and to a lesser extent at Cambridge, which would sacrifice the whole of the machinery which had hitherto worked so beneficially on the erroneous supposition that by it learning was vulgarized and education degraded. Although he strongly supported the Amendment and was prepared to vote for it, he concurred in thinking that it would not be wise to take a division at that moment.

MR. GATHORNE HARDY said, that when he listened to the speeches of the hon. Members for Liskeard (Mr. Courtney) and for Hackney (Mr. Fawcett) he began to doubt whether after all he was not a great revolutionist. He was somewhat amazed at the courage displayed by those hon. Gentlemen in venturing to lay down from their experience of their own Colleges the general principle that everything was as perfect over the whole of the two Universities as it was there—at all events, as regarded the Fellowships—that the Commissioners should not have the power to reduce the number of the latter under any circumstances. The speeches of the hon. Members indicated that they believed that the existing systems were going to be changed, and that the Commissioners were going down to the two Universities to uproot the whole system of Fellowships, Exhibitions, Scholarships, and Foundations. There was no pretence for such a supposition. Should the view of the hon. Members be adopted, the Commissioners would have no power to unite two very poor Fellowships into one moderate one, however beneficial such a union might be to the College to which they belonged. There was also a College where no teaching went on at all; but according to the clause of the hon. Gentleman the Member for Hackney none of those Fellowships could be suppressed and the proceeds diverted to other purposes. It was gratifying to find that *Alma Mater* had so strong a hold upon the mind of the

hon. Member for Hackney, and that no hon. Member was inclined to throw contempt upon that faithful mother who had reared so many of them. The Committee, however, had already negatived the proposal of the hon. Member for Hackney, because they had agreed to a paragraph in Clause 16 giving the Commissioners power to divide, suspend, or suppress any emolument of any College; and he trusted that they would adhere to the principles upon which they had throughout been acting, and would not attempt to tie the Commissioners' hands in a matter which was so essential in the working of the scheme contemplated by the Bill.

MR. BRISTOWE said, they had been told by the right hon. Gentleman in charge of the Bill, when objection was raised to the funds of the Colleges being taken for the support of the Universities, that the Commissioners would only have to deal with the superfluous funds of the Colleges. It was, of course, the Commissioners who would decide what were superfluous funds, and if they were to be at liberty to make superfluous funds by suppressing emoluments, the Colleges would be altogether at their mercy. In his opinion, it would be going too far to give them the power to reduce the number of Fellowships. He knew that many parents sent their sons to the Universities for the emoluments as well as the honours of the place, and he considered that it would be unwise to give the Commissioners the large power of reducing the prizes. He strongly objected to any reduction whatever, and if the hon. Member for Hackney went to a division he would support him.

MR. BARING remarked that he himself had felt the value of "idle Fellowships," and he was sure, as a matter of money, from the statistics contained in the Blue Book of the Commissioners, that for the next few years all reasonable demands for appliances in teaching physical science, modern history, languages of the East, and other subjects would be met without touching one of the existing Fellowships. He maintained that there could be no reason for interfering with these Fellowships. The old Commission had suspended, but not suppressed, Fellowships, and that was, in his opinion, far the better course. A previous clause of the Bill was quite sufficient for the object of the hon. Member for Hackney. He did not think it desirable to suppress any of the existing Fellowships at Oxford, and thought it would be a breach of faith to do so, as they would break the word which Parliament had given to them by the old Commissioners.

MR. FAWCETT said, in reply, that the discussion which had taken place was so extremely satisfactory that it had completely answered the object which he had in view, and he would not divide the Committee, inasmuch as the division might be misunderstood by the Commissioners, for there was not a single hon. Member who had taken part in the discussion, except the right hon. Gentleman the Secretary for War, who had not supported the principle of the clause, and it was not his intention to press it to a division.

LORD EDMOND FITZMAURICE said, he was sure that his hon. Friend (Mr. Fawcett) was mistaken in thinking he had a majority on the question. On the contrary, if the Committee had divided he would have found himself in a considerable minority. He believed that the great majority of the resident Fellows at Cambridge were opposed to his Amendment, which would have come with greater propriety from the other side of the House than from his own.

Amendment, by leave, *withdrawn*.

New clause, to follow Clause 25, (*Mr. Goschen*) *postponed*.

New Clause (New statutes), to follow Clause 11 (*Mr. Balfour*), *postponed*.

New Clause (Commissioners before deciding on scheme disposing of college emoluments shall consider corresponding scheme proposed for the other University), to follow Clause 20 (*Mr. Balfour*), by leave, *withdrawn*.

SIR WILLIAM STIRLING-MAXWELL moved, after Clause 24, to insert the following Clause:—

"No statute or ordinance shall be made under this Act affecting the trusts, conditions, or directions of the will of John Snell, Esquire, deceased, or any scheme approved by the Court of Chancery relating thereto, without the consent in writing of the University Court of the University of Glasgow."

MR. GATHORNE HARDY assented to the introduction of the clause, re-

marking that it appeared to him the exhibitions belonged rather to Glasgow than to Oxford.

Clause *agreed to*, and *added* to the Bill.

MR. KNATCHBULL-HUGESSEN moved to insert the following Clause:—

"On and after the first day of Michaelmas Term, One thousand eight hundred and seventy-seven, the election to any office in the University, except the office of Chancellor, of the High Steward, or of Burgesses which are now made by convocation, shall be made by the congregation of such University."

He thought the present elective body was too large, and the election was constantly carried by political influence. The Congregation of the University was better acquainted with the qualifications of a candidate for a Professorship, and if the powers of such election were delegated to Congregation a qualified man was more likely to be elected to the office than under the present mode, under which a system of canvassing and electioneering prevailed which was by no means creditable or advantageous to the University. He would give as an instance the election of Public Orator the other day. He (Mr. Knatchbull-Hugessen) had received a number of letters on behalf of one of the candidates. One gentleman—being a personal friend of his—recommended this candidate as a personal friend of his own; others, because he had been connected with the Apollo Lodge of Freemasons at Oxford, which gained him many votes; and, finally, he (Mr. Knatchbull-Hugessen) was persuaded to vote for this candidate because he found that all the members of his own College were going to do so. But no one canvassed him on the ground that this gentleman was the candidate best qualified for the office; and it was not until his arrival in Oxford to vote that he found many of the residents, most competent to judge, were supporting another candidate upon the ground of his superior qualifications. Surely, Congregation, comprising as it did those who did the daily practical work of the University, was, even though unreformed and containing some persons not so engaged, a body more competent to judge of the fitness of men for these offices than the larger body of Convocation, the vast majority of which were men who had long ceased to have any connection with the University. He had been told that the same system of electioneering would prevail in the smaller body; but he had greater confidence in the men who composed the Congregation of Oxford than to suppose they would to any great extent be guided by other motives than the qualifications of the candidates, and the public opinion of the University would be more easily brought to bear upon them than upon Convocation.

MR. MOWBRAY opposed the Amendment. The present system gave the University a voice in these appointments which it was undesirable to interfere with. Further than that, the clause would have very little effect, Convocation and Congregation so nearly coincided the one with the other.

MR. BERESFORD HOPE said, he was anxious not to hamper the Commissioners too much. This was a question which might very well be left to them. The proposed change would not get rid of canvassing or personal feeling entering into elections, and he doubted much its resulting in a better clause. In Cambridge free election had given to the world as its Professor of Geology, Adam Sedgwick, one who perhaps did more to advance that study than any man who ever lived. His opponent was Mr. Gorham, who afterwards became very notorious in the suit of Gorham *v.* Bishop of Exeter. Had the election been in a limited body, it might have appointed a clergyman about whose geology nobody afterwards knew anything, though there could be little doubt as to his theology.

MR. GOSCHEN said, he agreed with his right hon. Friend (Mr. Knatchbull-Hugessen), that Convocation was not a proper body to make the election, and that many abuses existed. He was disposed also to think that Congregation was not always the best body to elect Professors, seeing that it was still liable to the objection that it would in individual electors be open to circulars and the same influences of which his right hon. Friend complained; only they would be stronger, because the electoral body would be smaller. He trusted his right hon. Friend would be content with having called attention to the subject, would withdraw his Amendment, and leave it to the Commissioners to devise some better means for the election of Professors.

MR. GATHORNE HARDY pointed out that under the 16th clause the Commissioners would have power, if they saw reason to do so, to alter the electoral body.

Clause, by leave, *withdrawn*.

Postponed Clause 2 (Interpretation).

MR. CAMPBELL-BANNERMAN said, that in the clause the word "school" included in its definition "Colleges in Scotland," which he thought was degrading to those Colleges. He wished to be informed what was the reason for this definition, and thought that at all events the Colleges of Glasgow and Edinburgh, which were co-extensive, and by statute identical, with the Universities of those cities, should be classed in the Bill as Universities.

MR. LYON PLAYFAIR said, the definition given in the measure was entirely unnecessary, and would give offence where none was intended.

MR. GATHORNE HARDY said, he would consider the matter on the Report.

On the Motion of Mr. GATHORNE HARDY, Amendments made in—

Page 2, line 3, after "Oxford," insert, as a new paragraph—

"The Governing Body of a College" means, as regards the Colleges in the University of Oxford, except Christ Church, the head and all actual fellows of the College, being graduates, and as regards Christ Church means the dean, canons, and senior students.

Line 14, after "place," insert "in the University or a College."

Line 16, after "by a," insert "head or other."

Line 17, leave out "and in," and insert—

"or having attached thereto an income to be so held and enjoyed, arising wholly or in part from an endowment, benefaction or trust, and includes the income aforesaid, and all benefits and advantages of every nature and kind belonging to the place, and includes, as regards."

Clause, as amended, *agreed to*, and *ordered* to stand part of the Bill.

Postponed Clause 18 (Provision for religious instruction, &c.).

On the Motion of Mr. DODSON, Amendments made in—

Page 7, line 8, leave out "for a College."

Line 12, after "prayer," insert "in Colleges."

Line 12, after "make," insert—

"directly or indirectly through the consolidation or combination of any office or emolument with any other office or emolument, whether in the University or in a College."

Line 14, after "headship," leave out "or."

Line 14, after "fellowship," insert "office or emolument."

SIR CHARLES W. DILKE, in moving to leave out the latter part of the clause, and insert words to the effect that the Commissioners, after making provision for religious instruction and morning and evening prayer, should with respect to all College emoluments or offices have regard to the ensuring, and should make such statutes as might be necessary for ensuring, the same being conferred according to personal merit and fitness, and (except in so far as was requisite for the purposes of religious instruction and worship) that none of the tests, conditions, and obligations referred to in the third section of "The Universities Tests Act, 1871," or in the provisoes thereto, should be imposed or continued as part of the conditions of eligibility to or tenure of any College emolument or office, said, the question raised by his Amendment was not exactly that decided by so narrow a majority before dinner. It was framed so as to avoid the criticisms directed against the Amendment of his right hon. Friend (Mr. Goschen). The two right hon. Gentlemen opposite (Mr. Hardy and Mr. Mowbray) and his right hon. Friend (Mr. Gladstone) objected to the former Amendment, because it would be necessary to create chaplaincies for the due performance of religious services, and because chaplains were an inferior class and a different stamp of men, and further because the religious element in Colleges would be better recognized by attaching these religious functions to Fellowships. In the case of his Amendment these objections fell to the ground. It was couched also in much milder language, and he therefore hoped that the very narrow majority against the other Amendment would be converted into a majority in favour of his Amendment. Statistics had been given of the Fellowships of each University, but no one had given the totals of

both together. So far, however, as he could ascertain, there were at Cambridge 350 Fellowships, and at Oxford 337. The highest number at Oxford computed to be subject to clerical conditions was 149, and the lowest 116. As to Cambridge, there were no difference of opinion, the number of Fellowships subject to clerical restrictions being 235, and only 115 being free from those conditions. The hon. Baronet concluded by moving the Amendment.

Amendment proposed,

In page 7, line 4, to leave out from the words "office or emolument," to the end of the Clause, in order to insert the words "and after making such provision for religious instruction and morning and evening prayer, they shall as regards all college emoluments or offices have regard to the ensuring, and shall make such statutes as may be necessary for ensuring the same being conferred according to personal merit and fitness, and (except in so far as is requisite for the purposes of religious instruction and worship) none of the tests, conditions, and obligations referred to in the third section of 'The Universities Tests Act, 1871,' or in the provisoes thereto, shall be imposed or continued as part of the conditions of eligibility to or tenure of any college emolument or office."—(*Sir Charles W. Dilke.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. G. TALBOT said, that notwithstanding the milder form of the Amendment, it raised the same question and was open to the same objections as that which the Committee had rejected. Most of the Amendments offered to the clauses had been recommended on the ground of expansion and of liberality, but this was an illiberal proposal, and would only have the effect of contracting the powers of the Commissioners. If the Amendment were accepted, although some provision might be made for religious instruction, clerical Fellowships as such would cease to exist. The Conservative opinion of the Universities on this subject was that which did not express itself most loudly. The speech of the right hon. Member for Greenwich (Mr. Gladstone) was so convincing, that it was to be regretted it had not been supported by his vote. The question was one, not of the social position and the privileges of the Clergy, but of the benefit to the Colleges as places of learning. The study of theology and religious teaching must occupy a great part of the attention of the Colleges; and, if the position of the teachers of religion was lowered, a great injury would be done to the cause of religion and of liberal education. Reference had been made by the hon. Baronet opposite (Sir Charles W. Dilke) to the feelings of parents. For himself, he thought it was quite clear, and quite natural and right, that parents desired to entrust their children, at least in their earlier years, to those who were in Holy Orders, and many arguments to the contrary seemed to be drawn from a former generation. There was now no fear of clerical domination, and if there was any fear at all, it was of too little rather than too much religious influence. At Balliol, the seat of advanced Liberalism, the chaplain had been made an honorary Fellow, so that the Undergraduates might not look down upon him, as they might upon one who came in to perform clerical duties and was not a member of the Governing Body of the College. He did not take a *non possumus* or *status quo* position; but he said that, having appointed Commissioners, they ought to trust them to carry out in a truly liberal spirit any amendment which might be desired in this direction.

MR. LYON PLAYFAIR supported the Amendment, although he did not vote for the clause of the right hon. Gentleman the Member for London, because it was too sweeping and was open to objections from which this Amendment was free. That clause would have interfered with the principle of the academic constitution of Universities all over the world, for there were in every University a preparatory Faculty of Arts, and professional faculties for Theology, Law, and Medicine; and the clause would have placed disabilities upon one of these only. Had the clause not imposed an actual disability, but simply asked that the clerical Fellowships should be reduced to a reasonable number, in fair proportion to the other professional Faculties, and thus opened them to the clergy of all denominations, he would have supported such a proposition with alacrity. But a clause of absolute prohibition was quite contrary to the progress of the Universities, which were trying to make themselves useful to the occupations of the people. Cambridge had recently established 10 Fellowships in connection with Law, and

six in connection with Science, and why should it have these new Fellowships, and not any in connection with Theology? As a Liberal, he thought it would be fatal to the progress of Liberal principles that the Clergy should become seminarists, instead of being educated at the great Universities. It was education at the Universities that made them have such a hold over the people. If they became seminarists and were educated in mere clerical institutions, they would be made simple dogmatists. The evil of all special or technical instruction, apart from University training, was that the education had length without breadth. It was important that the Clergy should be educated with the laity, in order to acquire public sympathies, and thus be expanded into citizens before they were contracted into priests. Foreign countries had found it most injurious to public progress that the priests had become a caste separate from laymen; and in Germany Prince Bismarck had found it necessary to propose a law to compel candidates for the priesthood to go to Universities before attending theological seminaries. The Amendment did not abolish clerical Fellowships, but it abolished tests in regard to them. It promoted the science of Theology as distinct from Belief, and would allow the granting of degrees and honours without asking what a man's opinions were. That was already the practice in the theological Faculties of the Scotch Universities. It would surely be for the advantage of the country if Dissenting ministers went to our Universities for training, and thus acquired culture in addition to theological knowledge.

MR. WALPOLE said, he could not help observing that that Amendment would introduce disturbance in that very Faculty on which all the Colleges were founded. They were all based on religious education and connection with the Established Church of the country. If they broke up that basis, or severed that connection with the Established Church, they would do a vast amount of injury, not only to that Church, but to the Colleges themselves, for some parents would feel reluctance in sending their children to an institution which was dissociated from the Church, while others would send their children to theological Colleges or seminaries, which would have an injurious effect, by separating those who were to be our future clergy from local education with the great body of the laity. That was, in his opinion, a strong reason why they should do nothing to diminish the connection between the Universities and the maintenance of clerical Fellowships. He admitted that many improvements could be made in different Colleges; but he did not see how good was to be effected by laying down a hard Procrustean rule applicable to all. The Bill should be treated as a purely academical one, leaving to the Commissioners and Heads of Colleges full powers of action. He could not support the the Amendment.

LORD EDMOND FITZMAURICE said, that he hoped many hon. Members opposite would come over and vote for the Amendment, having had time for reflection since the last division. The discussion had done this good, it had justified the action taken by the hon. Baronet the Member for Chelsea in raising the question a second time in a different form. If any excuse were needed, it could be easily found in the tone taken by the right hon. Gentleman the Member for the University of Cambridge himself. They had now from the right hon. Gentleman the statement which he (Lord Edmond Fitzmaurice) had attempted in vain to draw from the right hon. Gentleman the Member for the University of Oxford (Mr. Hardy) as to what the meaning of "religion" in the Bill really was. This Amendment was opposed, because it was said it would interfere with the sacred connection, which had never yet been abolished, between the Universities and the Church of England. It had been his impression that the Tests Act had, once and for all, separated that connection with the Church of England; but the right hon. Gentleman said that was a mistake. That was a statement against which he must distinctly protest. If they wanted an excuse for pressing the Amendment to a division it would be found in the speech of the right hon. Gentleman. It was said this matter should be left to the Commissioners. But the question lay at the root of all University and College reform; it was not academical, but it was bound up with many deep-seated political questions—it was part and parcel of the question of religious liberty, which had been discussed for over 100

years in that House, and, therefore, the Committee should not leave it to the Commissioners to do what they might think fit. The Colleges could not deal with their organization or re-organization, unless the Committee settled this question for them. The hon. Member for West Kent (Mr. Talbot) said that religious education would be in danger; but that was the same cry when the University Tests Act was passed, and yet no harm had resulted from the passing of that Act. It reminded him of a saying of the late Mr. Hallam, of which he (Lord Edmond Fitzmaurice) approved, that the Established Church was only in favour of liberty when they wanted to overthrow Liberal institutions. It was not necessary to have Fellows in Holy Orders for the purpose of giving religious instruction. You might have persons who would give that instruction without being clerical Fellows. Competition had produced the same effect upon the study of Theology at the Universities which competition had produced in everything else—it had stimulated it. As long as we kept the Universities closed, Theology slept; but when we threw the Universities open, the Church of England woke up and saw that it must set to work, and now at Cambridge, of what were called the new Triposes, there was none, except the Law Tripos, which was so much sought after as the Theological Tripos. Last year there was a larger number who had gone out than the year before, and he was told that this year the numbe would be still larger. He could not help thinking that it would be far better that the Committee should say at once and for all time that these disputes should be put an end to; that they should treat this question in a purely academical spirit, and that they should make the great Universities open and free to all; and then they would gain, as they had been gaining, more and more upon the intelligence and affections of the people.

MR. FORSYTH said, that if he had been in the House in the earlier part of the evening, he would have voted for the Amendment of the right hon. Gentleman the Member for the City of London. He thought that the fact that a person to obtain a Fellowship must take Holy Orders was a most objectionable thing. It induced young men to enter into Holy Orders for the sake of an income. He had known cases of young men who had been tempted to take that course simply that they might get £300 a-year. But at the age of 23 they were hardly able fully to understand the nature of the obligations they were about to undertake, and afterwards they groaned under the burden, because, until a few years ago, they could not be relased from it. The object of the present Amendment was to allow any man—if he were personally fit as regarded his academical attainments—to take office, and then, if he should think proper, to enter into Holy Orders. But the present system at both Cambridge and Oxford was, in some cases, not to confer a Fellowship upon a man, or continue it, unless he was in Orders. That was a great temptation to induce men to take Orders to escape from poverty, and, in his opinion, was wrong.

MR. WADDY said, there was one view of the question which had not been put before the Committee. He had not had the opportunity of being a member of either of the great Universities, and there were a great many more persons in this country in the same position. He thought the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole) had made a distinct attack upon Nonconformity. [MR. WALPOLE denied that he had done so.] Though not intended, it was done, for the right hon. Gentleman said, in the plainest language, that the teaching of the Universities was based upon the principle that they were bound to the Established Church. [*Cheers.*] He was very thankful to have that statement cheered by hon. Gentlemen opposite, because it was time they should be told, if they had never heard it before, what was the opinion of that (the Ministerial) side of the House upon this question. The statement was not the opinion of, at all events, a large number of the people of this country, and it was an indignity and an insult to the Nonconformists of the country. Some years ago they professed to admit young men unconditionally into the Universities—the sons of Nonconformists—but they carefully kept from them all the advantages of such a step, by depriving them of any chance of obtaining a Fellowship or any other of the emoluments attached to these institutions, unless

they became members of the Church of England. By that means, instead of their Universities being educational, they were proselytizing establishments. [*Cries of* "Oh, oh!"] Hon. Members might say Oh, oh, but it was nevertheless true. They got from the Nonconformist Bodies their best and most promising youths, but prevented them from obtaining any of their prizes, unless they renounced the Churches in which they had been born and to which their forefathers belonged. The Nonconformists of the country did not acknowledge the Church of England as the religion of the people—they did not envy the Universities the power of giving away the best livings to those of their own communion; let them do so by all means. But let them act fairly, and not bribe the best of their youth to enter Universities where nothing was given them but inducements to become members of the Church of England. On that ground he protested against such a state of things, and supported the Amendment.

MR. COLMAN, as a Nonconformist, supported the Amendment, and wished to know why the clergy of one Church only should be entrusted with the education of the children of Nonconformists? They were now deprived of the opportunity of obtaining Fellowships at the Universities; but he believed the day was fast coming when that course could no longer be pursued.

Question put.

The Committee *divided*:—Ayes 173; Noes 151: Majority 22.—(Div. List, No. 149.)

Clause, as amended, *agreed to*, and *ordered* to stand part of the Bill.

Postponed Clause 56 (Operation of Tests Act as regards theological offices).

On the Motion of MR. GATHORNE HARDY, Amendments made in page 15, line 34, after "learning," insert—

"Which they are hereby empowered to do, provided the office be not a headship or fellowship of a college then."

Line 35, leave out "statute," and insert "office."

Motion made, and Question proposed, "That the clause, as amended, stand part of the Bill."

MR. DODSON observed that there was no definition of the word "office" in the Bill, but the effect, as he apprehended, would be to give the Commissioners power to create theological appointments *ad libitum*, provided they were neither Headships, nor Fellowships. That, he conceived, was contrary to the policy of the Act of 1871, and he would therefore move to leave out the clause.

MR. GATHORNE HARDY explained that, by the clause, the Commissioners would have power to create offices for the teaching of Theology like any other Faculty in the University, but they could not take funds for that purpose which had not been heretofore so applied. An Amendment had already been agreed to in the shape of the succeeding clause, which would meet the objection of the right hon. Gentleman, and if the Amendment did not make it sufficiently clear, he would make it so on the Report.

MR. DODSON maintained that they still left it within the power of the Commissioners to apply funds which were not now devoted to exclusively ecclesiastical purposes for the endowment of offices requiring theological learning.

Question put.

The Committee *divided*:—Ayes 170; Noes 119: Majority 51.—(Div. List, No. 150.)

On the Motion of Mr. STAVELEY HILL, Preamble *amended* by leaving out in page 1, line 16, the words "Whereas it is desirable."

Preamble, as amended, *agreed to*, and *ordered* to stand part of the Bill.

In reply to Mr. GOSCHEN,

MR. GATHORNE HARDY said, it would be impossible at present to fix the day when the next stage of the Bill would be taken.

House *resumed*.

Bill *reported*, as amended, to be considered upon *Monday* next, and to be *printed*. [Bill 183.]

PUBLIC WORKS LOANS BILL—[BILL 146.]

(*Mr. Sclater-Booth, Mr. Salt, Mr. William Henry Smith.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. STEVENSON asked that the third reading should be adjourned, so as to enable the House to criticize the action of the Public Works Loans Commissioners.

THE CHANCELLOR OF THE EXCHEQUER regretted that the Report of the Commissioners was not in the hands of the Government. It was necessary, however, to proceed with the Bill, so as to put the Commissioners in possession of the requisite funds. To postpone it would cause considerable public inconvenience.

MR. HUSSEY VIVIAN said, the Report was considered at the last meeting of the Commissioners, and was ready for presentation, but he thought it desirable that any discussion on the subject should be deferred to another year, when the Commissioners would be ready to meet any objections that might be urged to their proceedings.

MR. DODDS thought the complaint of his hon. Friend the Member for Glamorganshire was uncalled for under the special circumstances of the case. The discussion as to the proceedings of Public Works Loan Commissioners on Friday last had risen incidentally in the course of the debate, and was entirely and naturally an offshoot from that discussion. He thought, however, that seeing the Chancellor of the Exchequer had recognized the promise made on the passing of the Public Works Loans Act of 1875 the Commissioners had no reason to complain if, in the absence of their Report, Members availed themselves of any legitimate opportunity of remarking upon their course of procedure, and suggesting alterations therein, as well as in the powers conferred upon those gentlemen by Act of Parliament. The Bill now under consideration had stood upon the Paper for some time, and he thought the Report ought to have been presented earlier so as to admit of its being discussed. After the statement of the Chancellor of the Exchequer he trusted the hon. Member for South Shields would allow the present Bill to pass, because the money was not merely required by the Public Works Loan Commissioners but by Harbour Authorities and others to whom eventually the money would have to be paid. He hoped, at the same time, that some assurance would be given that in future Sessions the Report of the Commissioners would be presented and in the hands of hon. Members in time to admit of its being discussed during the passage of the annual Appropriation Bill through the House. He appealed to the hon. Member (Mr. Stevenson) to withdraw his objections.

Question put, and *agreed to.*

Bill read the third time, and *passed.*

BISHOPRICS BILL—[BILL 153.]

(*Mr. Assheton Cross, Sir Henry Selwin-Ibbetson.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. Assheton Cross.*)

MR. DILLWYN appealed to the Government not to proceed with the Bill at that time, as many hon. Members who had announced their intention to oppose the Bill left the House, as they understood an arrangement had been made, and the Government had promised not to take the second reading that night. He would move the Adjournment of the Debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Dillwyn.*)

MR. W. H. SMITH said, that the arrangement was a conditional one, and the conditions had not been fulfilled. It had been hoped that they might have been able to go on with the Factories Bill, and in that case the Bishoprics Bill would not have been taken.

MR. J. COWEN objected to the second reading on the same ground as the hon. Member for Swansea (Mr. Dillwyn).

SIR ANDREW LUSK asked that time might be given for the discussion of the Bill.

MR. ASSHETON CROSS did not understand that any arrangement had been come to as to the hour when the Bill should be taken, and hoped that it would be proceeded with. The Bill was brought in in pursuance of a debate which took place on this subject very fully last year, in which there was an overwhelming majority in favour of the Bill, so that the discussion had already taken place.

MR. DODSON thought there had been such an understanding. [An hon. MEMBER: A misunderstanding.] Well, a misunderstanding. In any case no ad-

vantage could be gained by pressing the Bill now which could only lead to a waste of time in a division on the question of Adjournment.

THE CHANCELLOR OF THE EXCHEQUER, while he did not understand that any arrangement had been come to as to the hour when the Bill should be taken, said, the Government would not press it if there was any doubt on the subject.

MR. PARNELL objected to the Adjournment of the Debate, if it was merely in order that Irish Bills which stood on the Paper should be taken at a late hour.

THE CHANCELLOR OF THE EXCHEQUER said, he could assure the hon. Member that it was not intended to proceed with those Bills that night.

Question put, and *agreed to.*

Debate *adjourned* till *To-morrow*, at Two of the clock.

COMPANIES ACTS AMENDMENT BILL.

(Mr. Edward Stanhope, Sir Charles Adderley.)

[BILL 171.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. E. Stanhope.*)

MR. PARNELL said, he would not oppose the second reading of the Bill, if it was a matter of form, but he protested against the practice of taking second readings at a late hour. It was in all probability an important Bill. [*Laughter.*] Well, it was impossible for every Member to study all the Bills.

MR. MONK thought it objectionable that a Member of the Government should merely rise and by taking off his hat move the second reading of a Bill. He did not know what the principle of the Bill was; indeed, he believed there were not 20 hon. Members who did, and he desired some explanation on the subject from the Government.

MR. E. STANHOPE said, the Bill had been introduced mainly in consequence of representations made to the Board of Trade, arising out of the recent decision of the Master of the Rolls, which rendered the law on this subject very uncertain. At the instance of many hon. Members of the House, of many important companies especially in the North of England, and of other commercial and trading Bodies, it was found necessary to place beyond a doubt the power of Companies to reduce their paid up capital. The Bill provided proper safeguards, and the Courts would impose proper restrictions; but the measure was of so simple a character that he trusted that the House would at once agree to the second reading. The Government was perfectly ready to take into consideration any suggestions that might be made in detail in Committee.

MR. MORGAN LLOYD hoped that when the Government was introducing a Bill to explain and render more definite the provisions contained in one clause of the Companies' Act, 1867, it would also endeavour to deal with and render more clear another clause on which the Court of Appeal was the other day divided in opinion. He referred to the case of Twycross *v.* Grant. Of course, legislation now would not affect what had taken place; but for the future it would be well to define more clearly what was intended to be admitted, and what was to be restrained by the clause to which he referred.

Question put, and *agreed to.*

Bill read the second time, and *committed* for *Thursday.*

BLIND AND DEAF-MUTE CHILDREN (EDUCATION) BILL—[BILL 176.]

(Mr. Wheelhouse, Mr. Isaac.)

SECOND READING.

Order for Second Reading read.

Motion made and Question proposed, "That the Bill be now read a second time."—(*Mr. Wheelhouse.*)

MR. SCLATER-BOOTH said, that the Bill would require much consideration before it could be assented to by the Government, or passed by the House into law.

MR. DODDS moved the Adjournment of the Debate, as it was too late to enter upon a discussion of the principle of the Bill that night.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Dodds.*)

MR. WHEELHOUSE said, that the Bill merely gave permission to the justices in counties and boards to provide

the means for the education of those children who were in the unfortunate position of being blind and deaf-mutes.

MR. ASSHETON suggested that they should agree at once to an Adjournment of the Debate, as he also desired to offer some opposition to the Bill.

Question put.

The House *divided*:—Ayes 24; Noes 53: Majority 29.—(Div. List, No. 151.)

MR. ANDERSON objected to the principle of the Bill; which, in the first place, enacted that Boards of Guardians should be compelled to pay for the education of those children up to the age of 14 years.

MR. SCLATER-BOOTH also objected to that provision of the Bill, and hoped the House would not assent to it.

Original Question put, and *agreed to*.

Bill read a second time, and *committed* for *To-morrow*.

PUBLIC HEALTH (METROPOLIS) BILL.

On Motion of Mr. SCLATER-BOOTH, Bill to consolidate and amend the Law relating to Public Health in the Metropolis, *ordered* to be brought in by Mr. SCLATER-BOOTH and Mr. SALT.

Bill *presented*, and read the first time. [Bill 187.]

BUILDING SOCIETIES ACT (1874) AMENDMENT BILL.

On Motion of Mr. DALRYMPLE, Bill to amend "The Building Societies Act, 1874," *ordered* to be brought in by Mr. DALRYMPLE, Mr. WADDY, and Mr. YEAMAN.

Bill *presented*, and read the first time. [Bill 188.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, 5th June, 1877.

MINUTES.]—*Sat First in Parliament*—The Earl of Lindsey, after the death of his Brother.

PUBLIC BILLS—*First Reading*—Customs, Inland Revenue, and Savings Banks *; Public Works Loans * (88); Local Government Provisional Orders (Altrincham, &c.) * (89), and *referred* to the Examiners; Local Government (Gas) Provisional Orders (Penrith, &c.) * (90), and *referred* to the Examiners; Local Government Board's Provisional Orders Confirmation (Artisans and Labourers Dwellings) * (91), and *referred* to the Examiners; Local Government Board's Provisional Orders Confirmation (Joint Boards) * (92), and *referred* to the Examiners; Local Government Board's Provisional Orders Confirmation (Bishop Auckland, &c.) * (93), and *referred* to the Examiners; Local Government Board's Provisional Orders Confirmation (Caistor Union, &c.) * (94), and *referred* to the Examiners.

Second Reading—Oyster and Mussel Fisheries Orders Confirmation * (73); Consolidated Fund (£5,900,000) *; Provisional Orders (Ireland) Confirmation (Artisans and Labourers Dwellings) * (78); Provisional Orders (Ireland) Confirmation (Ennis, &c.) * (79).

Committee — Report—Provisional Orders (Ireland) Confirmation (Holywood, &c.) * (62).

Third Reading—Solicitors Examination, &c. * (76); Gas and Water Orders Confirmation (Brotton, &c.) * (60), and *passed*.

LOCAL GOVERNMENT BOARD'S PROVISIONAL ORDERS CONFIRMATION (ARTISANS AND LABOURERS DWELLINGS) BILL [H.L.], (NO. 91.) A Bill to confirm certain Provisional Orders of the Local Government Board relating to the City of Norwich and the Boroughs of Walsall and Wolverhampton:

LOCAL GOVERNMENT BOARD'S PROVISIONAL ORDERS CONFIRMATION (JOINT BOARDS) BILL [H.L.], (NO. 92.) A Bill to confirm certain Provisional Orders of the Local Government Board forming the Birmingham, Tame, and Red Main Sewerage District, and the Lower Thames Valley Main Sewerage District, and constituting the Weymouth Port Sanitary Authority:

LOCAL GOVERNMENT BOARD'S PROVISIONAL ORDERS CONFIRMATION (BISHOP AUCKLAND, &C.) BILL [H.L.], (NO. 93.) A Bill to confirm a Provisional Order of the Local Government Board under the provisions of the Gas and Water Works Facilities Act, 1870, and the Public Health Act, 1875, relating to the Local Government District of Bishop Auckland, and certain other Provisional Orders of the Local Government Board under the Public Health Act, 1875, relating to the Local Government District of Hyde, the Boroughs of Plymouth and Ryde, and the Local Government District of Westhoughton: And

LOCAL GOVERNMENT BOARD'S PROVISIONAL ORDERS CONFIRMATION (CAISTOR UNION, &C.) BILL [H.L.], (NO. 94.) A Bill to confirm certain Provisional Orders of the Local Government Board relating to the Rural Sanitary District of the Caistor Union, the Borough of Chesterfield, the Local Government Districts of Cleckheaton and Ebbw Vale, the Boroughs of Honiton and King's

Lynn (two), the Rural Sanitary District of the Malden Union, the Local Government Districts of New Sleaford, Redcar, and Sandown, the Town of Southampton (Poor Law), the Local Government Districts of Wallasey (two), Wallingford, Wellingborough, and Ystradyfodwg; Were *presented* by The Earl of JERSEY; read 1ª, and *referred* to the Examiners.

House adjourned at half-past Five o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 5th June, 1877.

MINUTES.]—SELECT COMMITTEE—Companies Acts, 1862 and 1867, *nominated;* Irish Land Act, 1870, Mr. Fay *added;* Public Offices and Buildings, Sir George Bowyer *added.*

PUBLIC BILLS—*Considered as amended*—Prisons [121], *debate adjourned;* Colonial Fortifications * [174].

QUESTIONS.

The House met at Two of the clock.

CATTLE DISEASES (IRELAND) ACTS—ORDER IN COUNCIL DECEMBER 14, 1876.—QUESTIONS.

DR. CAMERON asked the Chief Secretary for Ireland, Under what particular provision of the Cattle Diseases (Ireland) Acts the Irish Privy Council has in its Order, dated December 14th 1876, authorised veterinary inspectors to order cattle slaughtered because labouring under pleuro-pneumonia to be sold by Poor Law Guardians to the best advantage for human food, in case of the owners declining so to sell them; whether from the evidence in a case recently brought before the Blanchardstown Petty Sessions, it did not appear that under the Order a cow whose lungs weighed 52 lbs., and which was described by the medical officer of health of the city of Dublin as one of the worst cases of pleuro-pneumonia he had ever seen, was sold for human food by the Guardians of the North Dublin Union; and, whether he can say if a similar practice prevails in England and Scotland?

SIR MICHAEL HICKS-BEACH: In reply to the Question of the hon. Member, I have to state that besides the general power to appoint Inspectors and Valuers and to provide for the due execution of the Cattle Diseases Acts under 39 & 40 *Vict.* c. 51, s. 4, the power to regulate the disposal of the carcasses of cattle slaughtered under Orders in Council is conferred by 11 & 12 *Vict.* c. 107, s. 4, extended to Ireland by 29 *Vict.* c. 4, s. 1, and incorporated with the subsequent Cattle Diseases Acts down to and including the Act of 1876. Under these powers repeated Orders have been made relating to the subject. As to the second Question put to me by the hon. Member, I have to say that it appears, from the reports which have appeared in the newspapers, that the Inspector of the North Dublin City Union considered that the animal in question was fit for human food, and ordered the carcass to be sold. The case was subsequently brought before the magistrates, who disagreed in opinion, and it was dismissed without prejudice. In reply to the third Question an inquiry was made before the issue of the last Order by the Irish Privy Council as to what practice prevailed in Great Britain; and it was discovered that, generally speaking, in the case of animals slaughtered on account of their being affected by pleuro-pneumonia, it was the practice to utilize the flesh for food, unless the disease was so advanced as to render it unfit for consumption.

THE EASTERN QUESTION — PRINCE GORTCHAKOFF'S CIRCULAR — LORD DERBY'S ANSWER.—QUESTION.

MR. WHALLEY asked the Under Secretary of State for Foreign Affairs, as to the Despatch of the Earl of Derby to Prince Gortchakoff, dated the 1st of May, Whether any of the parties to the Conference at Constantinople have expressed concurrence in the views therein set forth, and especially that the Emperor of Russia has "departed from the rule to which he himself had solemnly recorded his consent?"

MR. BOURKE: In reply to the hon. Member for Peterborough, I have to state that no expression of opinion has been asked by Her Majesty's Government from any of the other Powers with respect to the despatch referred to

in the Question of the hon. Member, and no expression of opinion has been given on the subject by the other Powers.

COMMERCIAL REPORTS OF THE FOREIGN OFFICE.—QUESTION.

MR. DODSON asked the Under Secretary of State for Foreign Affairs, with reference to the Reports of Her Majesty's Secretaries of Embassy and Legation on the Manufactures, Commerce, &c. of the Countries in which they reside (Part IV. Session 1876), How a Report from Mr. Hill, dated "Munich, August 23, 1876," and a paper from Mr. Walter Baring, dated "Therapia, Sept. 9, 1876," came to be included among the Reports presented by Command to Parliament on the 9th day of August, 1876; and, whether he considers that the publisher of papers thus inserted among papers presented to Parliament would in case of need be entitled to the benefit of the provisions of the Act 3 and 4 Vic. c. 9, for the protection of persons concerned in the publication of papers by or under the authority of either House of Parliament?

MR. BOURKE: It has been the custom, upon grounds of public convenience, to include in the last series of Commercial Reports presented to Parliament each Session any Reports that may be received after Parliament has risen, and which have arrived in time to be printed. The Reports referred to were distributed on the 28th of November last. If they had been kept back till Parliament met, they could not have been made public until the middle of February. As to the second Question, which is altogether hypothetical, and of entirely a legal character, I do not think that it is expedient to give any definite reply, particularly as I have no reason to suppose that the question is likely to arise in a practical shape; but attention having now been called to the matter, the consideration of the Law Officers of the Crown will be directed to the question, and the right hon. Gentleman's object in putting the Question will thus no doubt be attained.

RUSSIA AND TURKEY—THE DECLARATION OF PARIS—THE SUEZ CANAL. QUESTION. OBSERVATIONS.

MR. GOURLEY, who had given Notice "To ask the Under Secretary of State for Foreign Affairs, If he can inform the House of the intentions of the Russian Government relative to the observance or otherwise of the Maritime Declaration of Paris; and, if, in conjunction with other European Powers, he will endeavour to promote friendly negotiations with the Russian Government for the purpose of obtaining an assurance that the navigation of the Suez Canal shall not be interfered with by Russian cruisers," said: If the House will permit me by way of explanation, I will state my reasons for giving Notice of this Question, and, if necessary, I will conclude with a Motion. The reason why I put this Notice is because at this moment Egypt is at war with Russia. ["Order, order!"]

MR. SPEAKER: The hon. Member is not entitled to enter into any argument. The Question he proposes to put is perfectly plain, and does not require any explanation.

MR. GOURLEY: Can I not move the Adjournment of the House? ["No, no!"]

MR. BOURKE: I think I had better answer the last Question of the hon. Member first—that is, that part of it which relates to the Suez Canal. I gave an answer the other day to a Question of a similar character to this, and I have nothing to add to the information I then gave; but I wish now to inform the House that last night I presented some Correspondence on the subject, and the hon. Member will find all the information he requires, or, at all events, all the information Her Majesty's Government can give him in that Correspondence. Then, with regard to the first part of the Question—as to what the intentions of the Russian Government are relative to the observance or otherwise of the Maritime Declaration of Paris—I have to inform the hon. Member that a ukase has just been issued at St. Petersburg giving directions to the Russian authorities as to the mode in which they are to deal with Turkish subjects and Russian subjects in this matter, and also giving directions as to the course the Russian authorities are to pursue in relation to foreign subjects—including, of course, ourselves amongst the number; and in that ukase there will be found a declaration on the part of the St. Petersburg Government to the effect that they mean to observe the Declaration of

Paris, with regard to the Powers which are parties to that Declaration; but, the House is aware, the United States and Spain are not parties to that Declaration. The Russian Government have given notice of their intention to observe the Declaration of Paris also with regard to the United States and Spain. I have a copy of the ukase and shall be very happy to show it to the hon. Member. It will be published in *The London Gazette* to-night, with a translation.

SIR WILLIAM HARCOURT: I would ask whether Turkey has made any intimation of an intention to observe the Declaration of Paris?

MR. BOURKE: Speaking from memory, I think the Porte has made such a declaration.

MR. GOURLEY: The answer of the hon. Gentleman with regard to the Maritime Declaration of Paris is extremely satisfactory; but his answer with regard to the negotiations conducted by the Government is, to my mind, scarcely so. I desire to state the reasons by which I have been actuated in putting the Question. ["Order!"] I mean to conclude with a Motion for the Adjournment of the House.

MR. SPEAKER: The hon. Member says he will conclude with a Motion. Of course, I am not here to prevent the hon. Member from taking any course which the Forms of the House will permit; but I do not think I should be doing my duty to the House if I did not point out in the strongest manner the serious inconvenience that would arise if an hon. Member should put a Question upon any subject, and, not being satisfied with the Answer he receives, should move the Adjournment of the House.

MR. GOURLEY: I bow, Sir, to your decision; but I give Notice that on the earliest opportunity I shall call the attention of the House to the despatches laid on the Table of the House with regard to the navigation of the Suez Canal.

MR. E. JENKINS: I beg, Sir, to move the Adjournment of the House. My hon. Friend has put a Question of the deepest importance at this moment to the maritime interests of England, and I earnestly hope that some further explanations on the subject will be given by the Government. This morning one of the weightiest Papers presented to Parliament this Session has been placed suddenly in the hands of Members, and it so happens that that Paper relates to a subject which is in harmony with the question which my hon. Friend has brought before the House. My hon. Friend stated that he intended to conclude with a Motion. Mr. Speaker, I of course feel with the rest of the House that any expression of opinion which falls from the Chair ought to be received by both sides of the House with the greatest respect; but, on the other hand, I cannot feel the slightest doubt that, as my right hon. Friend the Member for Bradford (Mr. W. E. Forster) has said, there are occasions on which it is not only proper, but necessary, that Members should break through the ordinary Rules of the House; and I cannot help feeling, Sir, that on the present occasion my hon. Friend was justified in asking the House, as has been done by hon. Members on much less important occasions, that some consideration should be given to him in proposing to move the Adjournment, in order that he might call attention to this important matter. Now, Sir, I had intended to follow my hon. Friend; but, as he has for the moment dropped the question, I wish to call the attention of the House to the importance of the Declaration which is to-day submitted to us. Of course, we have only had a few hours to consider it; but I hope the House will not have any doubt of the importance and gravity of the subject, and of the fact that it is not open to private Members to force on a debate with any rapidity in this House, in any other way except that which is now being adopted. I trust the House will feel that I am not going too far in, for a few moments, asking that some further explanation should proceed from the Ministerial Bench with regard to the Correspondence which has been laid before the House this morning. I do not know whether many hon. Members are aware of the important subjects dealt with in these Papers; but what I wish to call attention to is this—that it appears from these Papers that M. de Lesseps, the managing director of the Suez Canal, went to the Foreign Office on the 10th ultimo and had a very important interview with the Secretary of State for Foreign Affairs, who was assisted by the Chancellor of the Exchequer. In the course of that interview a

project was laid before the noble Lord and the right hon. Gentleman which, looking at it simply upon the surface, and taking the first view of the case, I cannot but feel was a project which was in consistence with the interests of England, and in consistence with the general interests of the Continent of Europe; and it is a matter of the very deepest gravity that Her Majesty's Government should have felt themselves compelled to object to the proposition which was laid before them. That proposition is contained in the second Inclosure to Despatch No. 1 printed in these Papers, and I would call attention to the two most important paragraphs of it——

MR. PULESTON: I rise to Order, Sir. I should like to ask whether it is convenient or prudent to discuss this important matter before hon. Members have had an opportunity of reading the Papers on the subject, which have only been delivered to hon. Members this morning?

MR. SPEAKER: The hon. Member asks me whether it is convenient to discuss this matter now? I have already stated my opinion on this proceeding, and the hon. Member for Sunderland (Mr. Gourley), in deference to my suggestion, gave Notice that on a future occasion he would bring the matter before the House. The hon. Member for Dundee, however, has thought proper to move the Adjournment of the House, and I have no power to interfere.

MR. E. JENKINS: I can only assure the House that if I had not felt that it was a matter of the very deepest importance I should not be occupying its attention at this moment, and I trust that the hon. Member opposite (Mr. Puleston) will not again intervene with interruptions which are scarcely in accordance with Parliamentary usage.

MR. PULESTON: I rise to explain that it is because of the grave importance of the matter referred to by the hon. Gentleman that I rose to Order.

MR. E. JENKINS: It is only for the purpose of getting a little further information from the Government that I have taken this course. I think we are entitled, when a matter of this importance is before the country, to have full information of what the line is which they wish to take; and, possibly, it may save further debate. The proposal which was laid before the Government was this—that the Governments of such and such States should agree together to maintain the same liberty to every ship of war and commerce, whatever may be its flag, and without any exception; and there is another proposal which has in view simply the prevention of the landing of men and munitions of war upon any part of the territory of Egypt. Now, Sir, what I would ask from the hon. Gentleman the Under Secretary of State for Foreign Affairs is, what is the objection which Her Majesty's Government have taken to the proposal, which appears to me to be so equitable, and to have in view the reserving of the rights of all the Navies of Europe? What Her Majesty's Government say is, that to blockade or interfere with the Suez Canal, or its approaches, would be regarded by them as a menace to India and as a grave injury to the commerce of the world. Now, Sir, I am not here for one moment to say that Her Majesty's Government are not right in laying it down as a principle that it would be a menace to India, but they go on to refer to the commerce of the world; and I want to understand whether Her Majesty's Government, before they made this declaration, had considered in conference with, or by communications with, other States, how the commerce of the world was to be best protected in relation to the passage of the Suez Canal. I think we are entitled to know whether our Government, occupying as they have always done during the whole of these negotiations, an isolated position in Europe, and simply putting forward British interests in the face of the interests of the whole of Europe, are doing that in this case, or whether there have been any previous communications with other Governments which are undoubtedly concerned, equally concerned with ourselves, in this matter? We, I hope, are determined at all events that the arrogance of British pretensions—["Oh!"]—with regard to the Suez Canal, to the Mediterranean, and to other matters in relation to the Eastern Question, shall not be put forward in such a way as to call upon us the general protest, and, perhaps, the forcible resistance of Europe. ["Oh!"] I have spoken—I hope the House will not be angry with me for having done so—from a conviction that a matter of this importance

does render it necessary that we should have some early and immediate information of what are the real feelings of Her Majesty's Government upon this question; and I do hope that the right hon. Gentleman the Chancellor of the Exchequer will give us some more clear and satisfactory explanation of what the line of their policy is, than anything that we find in these Papers which have been presented. I beg to move the Adjournment of the House.

MR. WHALLEY rose to second the Motion. He thought the hon. Member for Dundee (Mr. Jenkins) entitled to the support of every independent private Member. Unless there were some modifications of the Rules of the House to permit private Members to bring forward important questions, there should be freedom in a case like this to take advantage of the Forms of the House. If it were said that these matters should be left to the Front benches, he replied that those who had had, like him, the advantage of attending public meetings at Birmingham would quite understand that the country did like to see individuals, however insignificant or unpopular they might be in the House, in their places discharging their duties; because it was recognized that in this matter the leadership of the Opposition was in commission. There was yet to be found that organization of Her Majesty's Opposition which was essential for the protection of the interests of the country. He complained that a very simple Notice for Returns in connection with the Tichborne prosecution which he had placed upon the Paper had been by every possible device and obstruction put off from time to time. He thought the Government ought to give some undertaking that, either by keeping a House at the Evening Sittings, or in some other way, private Members should have an opportunity of bringing forward grievances.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. E. Jenkins.*)

SIR H. DRUMMOND WOLFF trusted the Government would abstain from taking any notice of the question which had been put to them by the hon. Member for Dundee. The question was one of very great importance, and one which might very fairly be brought before the House; but the Papers had only been issued that morning, and Her Majesty's Government had had no Notice that they would be called upon to make any defence of the despatches which they had written. He thought it scarcely fair that they should be called upon to do so at a moment's notice, and before hon. Members had had time to study the Papers. He fully appreciated the anxiety of the hon. Member for Dundee to bring this question before the House; but he trusted the Government would not upon that occasion enter into any further discussion.

MR. T. E. SMITH concurred in what had fallen from the hon. Member for Christchurch (Sir H. Drummond Wolff). He regarded the Suez Canal as one of the most important subjects of the day; but he felt that it would be most unfair to the Government and the House that either the Government or the House should be called upon to express an opinion at this moment upon Papers which had only been published that morning. However important the subject might be, the House had reason to have every confidence in Her Majesty's Government that they would be willing within a day or two to give ample information upon the question. He earnestly hoped the Under Secretary of State for Foreign Affairs would decline to give further information until proper Notice had been given of the Question, and an opportunity afforded to the House to deal with it by a debate.

MR. MAC IVER wished to say a few words in opposition to what had fallen from the hon. Member for Dundee. In his own (Mr. Mac Iver's) and neighbouring constituencies, whose trading interests were really involved in such matters, they felt the most entire confidence in the course the Government had pursued in respect to the Eastern Question, and that it was wrong merely for party purposes to endeavour to raise these delicate questions with no other object than to embarrass the Government. If the Government had done right in the past, and he had not the slightest hesitation in affirming that they had, they should be allowed to conduct these matters in their own way without too much hypercriticism.

MR. WHITBREAD said, he desired to express to his hon. Friend the Mem-

ber for Dundee (Mr. Jenkins) the extreme inconvenience of bringing questions of this sort forward without Notice. The inconvenience was two-fold. First of all, they had not present many Members of the House who would like to take part in the discussion on the very important question that was raised. In the next place, they could not obtain from the Government those full explanations which were required, and they had a sort of desultory conversation in the House which led to no result. If that were the only mischief, it would be enough to prevent questions of this kind being brought forward without Notice; but it must be remembered that this was a subject which was watched very keenly outside the House. Now, when they had a conversation of this character on a subject of importance, without either the question being put in the formal manner in which it ought to be put, and without having that full explanation which the hon. Member required, people outside were apt to be misled into thinking that the House treated this question as not being a large and grave one. They would think the House had not made up its mind on the gravity of the subject, or, for some reason or other, desired to pass it over without notice. It was very hard upon the whole House that they should not have Notice of such an important question being raised. If the question could be said to be one of urgency, his hon. Friend would be justified in raising it by the unusual mode of moving the Adjournment of the House; but he thought his hon. Friend would not for a moment contend that this was a question of such urgency that he could not have given the ordinary Notice of his intention to ask the Question.

MR. E. JENKINS said, he would gladly, in accordance with what appeared to be the feeling of the House, withdraw the Motion for its Adjournment. He begged to say he had not really raised a debate. He had simply asked a Question—he had asked for further information; and if the Government did not choose to give it, he could not compel them to do so. He thought by the course he had taken he had not laid himself open to the animadversions of his hon. Friend.

SIR WILLIAM HARCOURT: I understand the hon. Member for Sunderland (Mr. Gourley) has given Notice of his intention to bring this question before the House. Everyone recognizes the importance of the subject, and I do not suppose that the Government will decline for a moment to give the information that may exist. I hope my hon. Friend will fix an early day on which this matter may be discussed.

Motion, by leave, *withdrawn*.

CRIMINAL LAW—
CASE OF S. G. MERRETT.—QUESTION.

MR. MONK asked the Secretary of State for the Home Department, Whether the case of Samuel George Merrett, who was convicted at Gloucester in April 1876, and sentenced to seven years' penal servitude for a crime which it has been proved he never committed, and who has consequently, on the recommendation of the right hon. Gentleman, received a free pardon from Her Majesty, is one which he can fairly recommend to the Commissioners of Her Majesty's Treasury for some compensation to Merrett in respect of his twelve months' wrongful punishment?

MR. ASSHETON CROSS, in reply, said, that the case had been sufficiently met by a sum of money and some other assistance having been given to the man.

NAVY—REPORTED MUTINY ON BOARD H.M.S. "ALEXANDRA."—QUESTION.

MR. PEASE asked the Financial Secretary to the Admiralty, Whether it is true that Mutiny broke out on board Her Majesty's Ship "Alexandra" at the Piræus during last week, and that the mutineers damaged the guns of the vessel; and, whether the hon. Gentleman has any information as to the cause of the outbreak, or as to the present state of affairs on board the ship?

MR. A. F. EGERTON: In answer to the hon. Member, I have to say it is not true that a mutiny has broken out on board Her Majesty's ship *Alexandra* at the Piræus. The official Report to the Admiralty, dated 23rd of May, states that a case of insubordination had occurred, exhibited by the throwing overboard of certain small articles, such as tangent-sights and pipe whistles, by some person or persons. There was no clue to the offenders given by the ship police or

the petty officers, and they have been warned that they will be suspended if there be any recurrence of these proceedings. The acts in question followed on the imposition of some extra drill, ordered in consequence of the negligent performance of duty on the part of the watch and some of the petty officers. No official letter has since been received from the Commander-in-Chief; but a private letter was received yesterday by a Member of the Board, written six days later than the occurrence, in which no allusion is made to the matter, and the writer states that the ship was to sail next day.

PRISONS BILL.—[BILL 121.]

(Mr. Assheton Cross, Sir Henry Selwin-Ibbetson.)

CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill be now taken into Consideration."—(*Mr. Assheton Cross.*)

MR. O'CONNOR POWER moved—

"That, in the opinion of this House, no legislation dealing with the management and discipline of Prisons can be satisfactory which does not extend to convict establishments."

The hon. Member said, that it had been his duty in every Session of the present Parliament to endeavour to call the attention of the House to the hardships endured by a particular class of prisoners undergoing confinement in Her Majesty's prisons; but he did not recollect that any opportunity so favourable as the present had heretofore presented itself of placing before the House anything like a complete statement on this very important subject. After the many representations made to the Government with reference to the cruel and unnecessary punishment inflicted on political prisoners in various prisons in England and Ireland during the last 11 or 12 years, it might justly have been expected that any legislation which Ministers submitted to the House would contain ample provisions against practices so revolting to justice and humanity. But what did they find? He had carefully examined the Prisons Bill for England and the Prisons Bill for Ireland, and it seemed to him that in the construction of those Bills the Government had not given a thought to the complaints of prison treatment so frequently made by hon. Members in that House, and in resolutions forwarded from meetings held in every considerable town and city in Great Britain and Ireland. He was in his place on that day to accuse Her Majesty's Government, in direct and explicit terms, of being the upholders of a system of prison discipline under which cruel and barbarous punishments had been inflicted, were now being inflicted, and might at any time be inflicted so long as the present system was maintained. It must be remembered that during the recent Fenian excitement thousands of men mere incarcerated in the various prisons of Ireland for periods ranging from three months to two years. He spoke of prisoners who were never brought to trial, and consequently were never convicted. Many of those prisoners, confined without an appeal to either Judge or jury, were tortured to death or driven to madness by the barbarous treatment they received. If hon. Gentlemen suspected him of exaggeration, he had only to remind them that in the Sessions of 1874 he moved for Returns bearing upon this subject, and the Home Secretary refused to grant them, thereby withholding from the House official information on a subject of great national importance, and cloaking with the authority of his position the outrages that were committed by brutal gaolers, and condoned and connived at by Government Inspectors. He would quote some official information on the subject. In 1867 Dr. Robert M'Donnell, the medical superintendent of Mountjoy Convict Prison, furnished a Report to the Directors in which he drew attention to the state of health, mentally and bodily, of those untried prisoners who had been in custody for many months. Dr. M'Donnell stated that those untried prisoners were kept confined by themselves all day long, except when at exercise or religious service; that at these times they were not allowed to communicate with each other; that they had not, as the convict had, the comparative recreation of school; that they were emaciated and worn-looking; that some had shown unmistakeable signs of mental disturbances; and that the lengthened period of their confinement made their case unlike that of ordinary untried prisoners awaiting trial. Dr. M'Donnell recommended on medical

grounds that the severity of the prison discipline should be relaxed. And what was the result? Instead of there being any relaxation in the discipline the humane officer who advocated the better treatment of the prisoners was dismissed. He (Mr. Power) asked the House to consider carefully the magnitude of such cruelty and injustice—innocent men condemned to a state of perpetual solitary confinement, and this was done by the Irish Government under both the Liberal and Conservative Administrations. The shadow of this great wrong rested alike on both Parties in the House, and the time had now come when both should unite to remove it by just and humane legislation. Some correspondence on the treatment of political prisoners had appeared recently in *The Times*, and that leading journal said, very justly, that the statements made on the subject could not be read without a keen sense of indignation. But it was a remarkable illustration of the indifference to Irish affairs felt by the Press and the public of Great Britain. *The Times* on a recent occasion treated these statements as if they were only then made for the first time. When the punishments, the evil effects of which Dr. M'Donnell had described, were being inflicted, the Irish papers and people frequently and loudly called for redress, but none came. Her Majesty's Government was now bound to take one of the two courses in reference to the question —either to justify the perpetration of horrible outrages on political opponents on the atrocious principle that the end justified the means, or to propose such legislation as should, in the language of *The Times*, render it impossible for the future. When Mr. O'Donovan Rossa and his companions were in prison the country never would have heard of the illegal and shocking treatment they received but for information brought out of prison surreptitiously by discharged prisoners. Some of the national journals had published this information, which in the course of time led to inquiry, and from inquiry to the partial liberation of the political prisoners—an act which the half-hearted and short-sighted policy of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) deprived of the character of enlightened statesmanship which would undoubtedly attach to a full and complete amnesty. Some letters which were written 12 months since, and brought out from Dartmoor Prison by discharged prisoners, had been placed in his hands, from which he should read extracts to the House. The writers knew very well the consequences that might follow the announcement of their violation of the prison rules, but their patience was exhausted. They contended, with reason, that as the prison authorities had violated a rule in treating them worse than ordinary criminals, they were justified in disregarding the rules for the purpose of self-defence, and they had therefore sent out word that he (Mr. Power) was at liberty to make what use he thought proper of the letters. The hon. Member proceeded to read extracts from these letters. Mr. Michael Davitt, a prisoner convicted of treason felony, and had been in penal servitude for the last seven years, wrote complaining of the treatment he received from the prison officials, and stating that he had been set to stone-breaking, of which, in warm weather, he did not complain; but in winter he was compelled to work in a large open yard, the very coldest in the prison; his cell, seven feet long by four broad, iron sides, and slate floor, was directly opposite the water-closet, 10 or 12 feet distant, where the fæcal matter from 10 wards (74 men) was kept in tubs for manure: he had asked the principal warder to remove him a little higher up, but no change was effected, although there was an empty cell. The hon. Member then read further extracts from Michael Davitt's letters, one of which stated that that there was not one prison official, from the Visiting Director to the lowest of the crowd, that would not lie to save themselves from blame or exposure. Another stated that he suffered much during the long winter from catarrh and incessant spitting of phlegm, which must inevitably end in lung disease; that the climate was so severe, and the food so abominably bad and filthy, that the wonder was how men could bear up against two of the greatest hardships of life—cold and hunger; and that they were regaled with the potatoes which had become unfit for the pigs in the neighbourhood to eat. The hon. Member then alluded to the case of Sergeant M'Carthy, and read a letter from that prisoner, dated Chatham, April 1877. The letter stated that the position of the prisoners was be-

coming desperate; that they were subjected to such systematic annoyances that if they were allowed to go on, they could only have one ending—namely, death; that the melancholy conclusion had forced itself upon them that nothing less than their lives were aimed at, and that, too, in a cowardly, assassin-like manner; and that it was a significant fact that this persecution dated only from the time the Governor of the prison became aware that he (M'Carthy) was suffering from heart disease. The hon. Member then referred to the case of Corporal Chambers, who, for the five months during which he was in custody before trial, was treated worse than a convict during his imprisonment. Chambers had been made to mop out filthy dens of dirt; and when in the hospital, suffering from chronic rheumatism, he complained of 10 ounces of food per day as inadequate, he was declared to be cured and turned out of hospital. It was impossible to read those documents without indignation; but Chambers' case spoke for itself. It was only Davitt, with his superior cleverness, who had made himself heard. This man was weekly obliged to act as charwoman to a lot of very dirty people. Even a glance of the eye, a look, was deemed a crime in Dartmoor. Chambers had been held by one gaoler while he was being ill-treated by another gaoler. "Worthy sons," said Chambers, "of worthy sires;" and he made an allusion which he (Mr. O'Connor Power) did not understand. Amongst other matters it was stated that of 1,000 prisoners in Dartmoor, nearly one half suffered from heart and pulmonary diseases, owing to insufficient clothing during the cold weather, excessive labour, and bad food. It might be said that the language in which the complaints were couched was very strong; but he did not think it was too strong to be repeated to the House of Commons. In 1868 orders were received to treat Chambers with greater severity, and those orders had been carried out, and were in force so recently as 13 months ago. According to Davitt, the man Chambers was not allowed to give evidence before a Commission of Inquiry, nor was Chambers produced before the Commission in 1870. In June or July, 1868, Chambers received, in reply to a Petition asking to be allowed to attend to his religious duties, the words "No grounds." In view of the fact that Members from Ireland had once or twice called the attention of the Government to the circumstances and treatment of these treason-felony prisoners, and nothing had been done, it did appear to him that the time had come when the feelings of the English nation should be stirred up on this question. Meetings on the subject had been held, and over one of them the hon. and learned Gentleman the Member for Limerick (Mr. Butt) presided. About 200,000 persons attended that meeting in Dublin, and they were men who had a stake in the country, and who knew that the treatment of the political prisoners as convicts and malefactors was not the way to stamp out disaffection. Those prisoners were men who had exhibited excessive patriotism, and adopted measures to remedy admitted grievances not sanctioned by the Constitution of the country. The agitation of last Autumn, whatever might be the motives of its promoters, showed that the English people were capable of sympathizing with suffering humanity; and he cherished the hope that his feeble words would find an echo in the constituencies of England and Scotland, and that they would not sanction any adverse vote of the House of Commons denying those reforms in prison discipline which he believed were absolutely necessary to prevent the recurrence of such deeds as he had recited. He considered himself justified in bringing forward the Amendment he had put on the Paper, and in saying that the time had come when the Government should introduce something more comprehensive than the present paltry measure, and something that should, in the first place, deal with the crying evils such as those to which he had referred. This question ought not to be dealt with piecemeal, and he thought the Government ought to defer legislation on this subject until they could remove the great evils of which he complained. He knew he would be told that inquiries had been made and a Commission issued to investigate the complaints against prison officials, and that it had been found that the most serious accusations had not been verified. But the inquiry was of the most unsatisfactory character. The hon. and learned Member for Limerick (Mr. Butt) had stated that if the inquiry were to be

conducted in the manner proposed it could not fail to be regarded with distrust; for that when the prisoners asked to be allowed the assistance of counsel in preparing their statement, which assistance the hon. and learned Gentleman said was necessary, they received a reply stating that the Commissioners could not comply with the request. As the hon. and learned Gentleman had well stated, an investigation of complaints without hearing the complainants could not fail to be regarded as a mockery and a delusion, if not also a snare. If the inquiry had been conducted in a full and fair manner, he ventured to say that it would not have been his duty to get up in that House Session after Session and occupy the attention of the House in the hope of obtaining some much-needed reforms. Up to this point the Government had determined to keep the political prisoners in gaol; but he did not think they would determine to keep them there much longer. But however long they kept them in confinement, he urged that they should be treated as men, and not as brutes. It was time that the question should be taken up as to how far the Government was justified in detaining political prisoners. If the House of Commons at the latter part of the 19th century was about to assert that there was no difference between political offences and ordinary crimes, they would do what was not done in any other nation; and if they did so to-day, they would be rolling back the tide of civilization. He trusted that the result of any division which might be forced upon them on this question would show that the feeling of the House of Commons was on the side of humanity and justice. The hon. Gentleman concluded by moving hisResolution.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, no legislation dealing with the management and discipline of Prisons can be satisfactory which does not extend to convict establishments,"—(*Mr. O'Connor Power,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. ASSHETON CROSS willingly paid a tribute to the generous sympathy and belief in the truth of the statements made to him which induced the hon. Member to bring forward this question year after year, and to express himself so strongly. He (Mr. Cross) declined on the present occasion to go into the question whether or not political offences should be treated in the manner in which they were now treated by the law of the land. The object of the Motion was, however, not to say that the House ought not to legislate on the subject, or that the Government ought not to introduce a Bill like that now before the House; but that, if they dealt with county and borough prisons, they ought also to deal with convict prisons. His answer to that was that he preferred to do one thing at a time, and the Bill now before the House dealt with a very large number of prisons and many large questions. Moreover, it was a measure which would in the long run greatly ameliorate the condition of those unfortunate persons confined in them. The hon. Member talked about the barbarous manner in which persons who had not been convicted of any crime had been treated, especially in Mountjoy Prison. The hon. Member said they were subjected to certain discipline which no person except a man who had been convicted ought to be subject to. He (Mr. Cross) must, to a certain extent, demur to the statements made as to the treatment of prisoners in Mountjoy Prison. The question as to the treatment of prisoners in that prison was brought before the House in 1867, when it appeared from the Report as to the state of things in that prison, that with reference to untried prisoners there was not a single case requiring treatment in the hospital; that they were permitted to obtain their own food; that the prison scale of diet was tolerably liberal and varied; that during the hours of exercise the untried political prisoners might associate with each other; and that they might read books obtained from the library or sent to them by their friends. The 39th clause of this Bill provided that wherever there were political prisoners, whether for safe custody before trial or after conviction, special rules should be provided for that class of prisoners. The Bill, therefore, did meet the precise evil brought before the House by the hon. Member. With reference to the attack made by the hon. Member generally on the management

of the convict prisons, he (Mr. Cross) would remind the House that this question had been discussed by the House when in Committee, and that the Committee decided that it was better to confine the Bill to county and borough prisons; but it was competent for the hon. Member to open the question again. With regard to Dartmoor Prison, where Davitt and M'Carthy were confined, he could have wished that the hon. Member had given him Notice that he meant to refer to those particular cases. Except his attention was called to particular cases, the knowledge of the Secretary of State was mostly limited to the general condition of the prisons. He warned the House against being led away by statements that the food was bad, the cells filthy, and the prisoners treated more like brutes than human beings. Those were broad statements and grave accusations, and he was bound to say that from his own personal inspection he was able to give them a most emphatic denial. He had examined the cells and the food and the condition of the prisoners themselves, and having besides been a Visiting Justice for a great number of years, he did not believe that such complaints as those of Davitt could possibly be substantiated. That prisoners were induced to make complaints he did not deny; and that prisoners from a class of life like that of Davitt found the discipline, the restraint, and the food of a prison irksome and distasteful was likely enough; but it must be remembered that the man had been convicted of felony. [Mr. O'CONNOR POWER: Of treason-felony.] That was felony in law. He would not discuss now how the treason-felony ought to be treated; but when a man had by the law of England been convicted of felony and been sent to a convict prison, it was impossible for the prison authorities to treat him differently from the other prisoners; otherwise the Home Secretary would be deluged with many more complaints than were made now, as to how one prisoner was treated as compared with another. Moreover, that matter had been discussed over and over again, and it was not as if there had been no inquiry into it. The hon. Member said the inquiry that had been made had not been satisfactory, as the prisoners had no opportunity of substantiating their allegations. Now, in the case of the Devon Commission the most complete facilities for stating their complaints against the prison officers were given to the prisoners. They were supplied with unlimited pens and paper, and had the fullest freedom of communication with their friends; while the prison officers, on the other hand, were, in fact, put on their trial before the Commissioners without having any knowledge whatever of the charges to be brought against them. Well, after patient investigation the Commissioners found that there was no ground for believing that the treason-felony prisoners in English prisons had as a class been subjected to any exceptionally severe treatment, or that they had suffered any hardship beyond what was incidental to the incarceration in a convict prison of persons sentenced to penal servitude. On the contrary, it appeared that the prison authorities had sanctioned from time to time certain relaxations of the convict-prison discipline in their favour. It was true that on certain points the Commissioners recommended certain alterations, but those did not affect the treason-felony prisoners more than anyone else. The Commissioners, having visited Dartmoor and the other convict prisons, reported favourably of their general administration in respect to treatment, diet, and discipline. They said that the officers as a body were qualified for the efficient discharge of their duties; while they were under such careful and responsible supervision by the Central Department as provided a sufficient safeguard against abuse. They observed that there was nothing to justify the charges which had been made of undue severity, of hardship, or neglect of due provision for the preservation of health, although they qualified their general expression of approval on certain points as to which they suggested some alterations. But that was not all. In consequence of complaints made of the treatment of certain prisoners, the right hon. Member for the University of Cambridge (Mr. Walpole), when he filled the office of Home Secretary, appointed two perfectly independent men, Mr. Knox, the police magistrate, and Dr. Pollock, of Pentonville, to inquire into the state of the convict prisons. Those gentlemen reported that they found the cells perfectly clean, the beds and bedding comfortable, and the

prisoners were allowed the use of some books to read when not occupied in their daily work. The dietary at Pentonville was emphatically good and sufficient. Portland Prison was a perfect model of order, cleanliness, and propriety; the cells were sufficiently large, the bedding ample for health and comfort. The prison fare, as far as they saw it, was excellent of its kind; and if it was not sufficient to satisfy the full desires of the inmates, it was at least sufficient to sustain them in the robust health they exhibited when the Commissioners visited them. The Commissioners remarked that it was much to be desired that all the honest labouring classes of this country were as well fed and cared for as the 300 convicts on the Island of Portland. The sanitary arrangements were excellent, and so was the food, and the hours of labour were not unreasonable. The hospital arrangements were as good as any in London. Every care was taken for the spiritual welfare of Protestants and Catholics alike. Books of all kinds were to be had and the superior officers were all good and civil, and the Governor was a well-tried servant of the Crown, and had risen to his position by his own merits, and the other officers were men of rank and character. The superiority of Portland over Continental prisons was so marked that a comparison between them was out of the question. The Commissioners said it was their distinct opinion that the charges brought by the treason-felony convicts against the prison officials at Portland could not be sustained; and that, although many charges were made against the Governor and the warders, they did not remember a single instance in which those charges were not of so frivolous a character as to be unworthy of serious consideration. The Commissioners said they had visited Woking Prison, and that nothing could excel the general arrangements there for cleanliness, order, and good management. Anybody, therefore, who wished honestly to come to a correct conclusion on that matter would surely give weight to the testimony of an independent inquiry. For himself, he hated imprisonment, and nothing would induce him to send a man for imprisonment if it could be avoided. The statements made from time to time to this House of harsh treatment were, as a rule, unfounded. There might be, in some particular cases, a warder who might have harshly treated a prisoner; but they might depend upon it such a warder would be sure to be punished, and if the case came to his (Mr. Cross's) knowledge, such a warder would be dismissed. Hundreds of complaints came before him every year, and they were all inquired into and dealt with according to their merits. The superintendence of the Home Office over the convict prisons was not a mere matter of form, and the prisoners knew it was not. It was not a fact that a letter addressed by a convict to the Home Secretary would not reach him, and there was not a governor of a convict prison from one end of the country to the other who did not know that such a letter must come to him. The unfortunate class who had to be confined in gaols consisted largely of persons who, from the circumstances in which they had been brought up from infancy, would be most likely to suffer in their health, and it might, therefore, be expected that there would be a high death-rate among them. But what was the fact? He found from the Report issued in 1875 that the daily average number of male convicts imprisoned was 8,572, and that the average annual deaths were only 135. That was a lower death-rate than could be shown by any city in England. Apart, however, from this proof of the health of the prisons they had independent testimony attesting the same fact. Dr. Richardson, an independent witness, who had given great attention to the subject, declared that the modern prison was a perfect dwelling-house from the point of view of health, except that it was insufficiently lighted from without, and that our prison population were healthy above all other classes. The only complaint which Dr. Richardson had to make was that all prisoners should be put upon one standard of work, as if their physical faculties were all alike, and in that he (Mr. Cross) agreed with him. The facts being as he (Mr. Cross) had stated, the hon. Member who had introduced the subject could not fail to perceive that where any remedy was needed it was applied, and that the general management of the gaols was above reproach. He must declare in the most emphatic manner that the charges made against the prison officials were utterly false and unfounded, and that they ought

not to be made again. He could not speak too highly either of the gallant officer who was at the head of the Convict Department, or of those who served under him. If any individual case of hardship did arise, they might depend upon it that as soon as it came under his (Mr. Cross's) notice, he should cause it to be strictly inquired into and, if necessary, remedied. He might say that so far from fearing investigation, he courted it; because he was convinced that the more complete and thorough it was, the more admirable and satisfactory would our prison system be found to be. And that, he believed, was the feeling of the prison officials themselves. He hoped, in these circumstances, that the House would now allow the Bill to proceed. As regarded untried prisoners, he might add that he was certain they had been carefully attended to by the Visiting Justices; but the Bill would tend to ameliorate their condition by enabling the Secretary of State to employ the most competent servants, and to introduce in borough gaols a system of administration superior to that which had hitherto provailed.

DR. WARD said, that the Home Secretary had just stated that the Government was always willing to grant a full investigation into the alleged charges of cruelty in convict prisons. It certainly was very remarkable that the Commission appointed some years ago to investigate some of these charges refused to do the only thing which, as was shown by the hon. and learned Member for Limerick (Mr. Butt), would make the investigation of any worth. Still more remarkable was the circumstances connected with Dr. M'Donnell, who had reported on the harsh treatment of unconvicted prisoners in Mountjoy Convict Prison. Dr. M'Donnell, who was a gentleman of high position in science, and with a large and first-class practice in Dublin, was told, after he had sent in his Reports, that unless he consented to live in the prison, and become a mere prison official, he must cease to be medical officer to the prison; and Dr. M'Donnell was, in fact, dismissed. Such was the way in which an honourable and distinguished gentleman was treated because he ventured to object to the cruelties practised in Mountjoy Convict Prison. Then as to the denial of the Home Secretary to the specific charges brought by the hon. Member for Mayo, they unfortunately found by experience, that where prison officials were guilty of cruelty, they were quite ready to shield themselves by falsehood, and they did not even hesitate to put a falsehood into the mouth of Secretaries of State when answering Questions in the House of Commons. They had a case in point when the case of O'Donovan Rossa was brought before the House. The then Home Secretary (Lord Aberdare) categorically denied, on the authority of the prison officials, that O'Donovan Rossa had been handcuffed for 34 days consecutively, and that the prisons were most unhealthy. It should be remembered that the specific charges brought forward by the hon. Member for Mayo were not affected by the statements of the Home Secretary. A prison might be ever so healthy, yet the officials might carry on a system of cruelty to the unhappy inmates. That had been established before; and he doubted not if a full and fair investigation were granted, it would be found that such cruelty was practised in the convict prisons of England.

MR. PARNELL said, the powers of qualifying the rules and regulations of prisons at present in force in England were very various. The Bill of 1865 dealt to some extent with the rules and regulations of prisons, but not as to their treatment to the extent that he should like. No doubt some modifications had been made, and some of the power had been taken out of the hands of the Home Secretary. For his own part, he brought forward Amendments in Committee as to the treatment of political prisoners, and they were, as a consequence, put under the Prisons Act of 1865. In some instances the Committee decided upon making rules themselves, but that principle was pushed far enough; and he should like to see as many of the regulations as possible under the borough and county gaols under the operation of this Bill, and framed by that House. The Home Secretary had just told them that his object was to make uniform the regulations of the various prisons throughout the country. It was an interesting matter in connection with the subject that his hon. and learned Friend the Member for Limerick (Mr. Butt) had carried a Motion for a Return of all the prison rules in force in Ireland, and his hon. and learned Friend just now in-

formed him that the Return was now before the House. He could not help thinking that it was very desirable for an English Member to move for a similar Return for England. He only referred to the question of the rules for borough and county gaols in order to show that a much greater necessity arose why the rules governing the treatment and discipline of convict prisons should be brought under the attention of the House of Commons. It was somewhat remarkable that the Government had considered that there should be a difference in the case of Ireland between the Board which was to carry out the directions of the Irish Bill as regarded convicts, and the Board which was to deal with borough and county gaols. If they had been put under the same Board, he should have thought that upon the score of economy the Government would have seen the necessity of having only one Board, as in England. As to the necessity for reform in the management of some of the convict prisons, he would call the attention of the House to a Report issued by the Howard Committee in reference to convict prisons, in which they directed attention to some of the evils of the English convict system. They said that the convict prisons were distinguished from borough and county gaols receiving criminals undergoing penal servitude. The Report referred to the Irish prisons, which were five in number, and which were to be placed under a Board under the Irish Prisons Bill. Then the Report went on to advocate the separation of the different classes of convicts. It said—

"The custom was to herd prisoners together in dens, in which there was a considerable amount of association, and then the warders were generally old soldiers, too apt to rely on force."

Upon this *The Lancet* remarked—

"Soldiers are not the most suitable persons to deal with criminals; they dealt with men as raw material to be beaten into shape, and they overlooked the fact that they had minds. There is no place for mind in the military system; but it is the mind which is at fault in the criminal."

The Association then pointed out the necessity of a closer inspection of convict prisons; and he (Mr. Parnell) wished to point out that this was a subject of the utmost importance, because under this Bill the power of Visiting Justices had been curtailed and almost nullified, and in their stead there was no one to make an independent inquiry into cases of hardship. Really reliable Reports were a *sine qua non*. As an instance of the truth of the assertion of the Howard Association, he would refer the House to the Report of the Devon Commission on the alleged ill-treatment of O'Donovan Rossa, who was confined in Portland Prison; and, when that case was brought before the House, the Predecessor of the present Home Secretary (Lord Aberdare) promptly denied that there was any foundation for the statement, though he was afterwards compelled to admit there was foundation for it, and he was obliged to consent to the appointment of the Devon Commission to investigate the charges. That Commission reported that in every instance of specific charges as to ill-treatment of O'Donovan Rossa, and other persons, they were thoroughly established and well-founded. It was unnecessary for him to go further into the question, for the complaints of the Fenian prisoners were fully established before the Devon Commission; but before he sat down he wished to say that the Irish people were deeply interested in this question; that it was a question on which they could go to such extremities as they could not go on any other Irish question; it was a question that they would push on the attention of this House, and that they would make inconvenient to this House if necessary. While no exertion of theirs would be left undone to ensure that the attention of the Home Secretary should be directed to the consideration of the treatment of the few political prisoners still in prison, they would ask fairly and temperately that Parliament should look into the treatment of these men, that there might be some alleviation of the terrible and cruel lot and fearful treatment they had hitherto experienced.

MR. WHALLEY said, he thought that this convict question was the only point in connection with prison reform that had ever interested the country. Convict establishments were an experiment which was forced upon the country against its experience and judgment, in consequence of the breakdown of transportation. The present Home Secretary was one of the most harsh, most unreasonable, and unjust administrators of the Office during the 25 years he had been in the House; because he had

thought fit to lay down, in reference to the conduct of his business as a Court of Appeal in cases of miscarriage of justice, a rule which had never been laid down before, which was perfectly unreasonable, and which could not be justified for one moment, if the object of the law was to administer justice fairly and equally.

MR. SPEAKER: I fail to see the relavancy of the line of argument which the hon. Member is now pursuing to the Question before the House.

MR. WHALLEY replied he would make every possible effort in his power to enable the Speaker to see its relevancy. It was disgraceful that prisoners suffering from a miscarriage of justice had no Court of Appeal for redress. It was a thing that could not for a moment be tolerated. The right hon. Gentleman the Home Secretary stated to a deputation which he (Mr. Whalley) had the honour to introduce, that he would not listen to any questions of evidence that had been given in one of the Courts of Law.

MR. ASSHETON CROSS: I never said anything of the kind.

MR. WHALLEY said he was glad to hear it, because it would have the effect of mitigating much of the feeling that existed out-of-doors, and more especially if the right hon. Gentleman would begin to act upon it. As other Members had been allowed to refer to particular prisons, he might perhaps be permitted to refer to the case of a prisoner confined in Dartmoor Gaol. Lord Rivers and Mr. Onslow visited him a few days ago, and they found that he desired to complain of his treatment, but that he was immediately stopped by the warder in attendance.

MR. GATHORNE HARDY: Mr. Speaker, it is not that I should wish to interrupt the hon. Member in the course he is taking, if it were a fitting occasion, but out of respect to your ruling—that the observations of the hon. Member are not relevant—I think the House ought to support you in that ruling.

MR. WHALLEY said, he thought he was going on quite successfully. It was most unintentional on his part if he had in any way departed from Order. He had only been adducing the case in question, as an illustration of the manner in which convict establishments were at present administered. He regarded the case referred to as one of the worst instances of injustice and cruelty that had ever occurred in this country. He must say that he thought the hon. Members for Mayo (Mr. O'Connor Power) and Meath (Mr. Parnell) were entitled to the thanks of the country for bringing before the House the cruelty of the treatment to which persons were subjected in our convict prisons.

MR. BUTT said, he could not but feel some little embarrassment as to the vote he should give upon the question. He, for one, thought that hon. Members should feel indebted to the hon. Member for Mayo (Mr. O'Connor Power) for the manner in which the Amendment had been brought forward. From the beginning he had entertained very strong objections to the present convict-prison rules, as introducing a great constitutional change in the country. There was, however, a strong feeling in favour of saving some addition to the county rates, and he regretted very much that the Bill should pass on such grounds. If the Motion were carried to a division, he must vote for it as a protest against the present system of convict establishments. He knew of cruelties that went on at Mountjoy Prison under the discipline of the authorities, and inflicted upon persons confined there upon an arbitrary warrant, perfectly innocent, and yet subject to severe treatment as convicted criminals. He thought the time had come when this question should be considered without reference to political prisoners only, for the cruelties might be inflicted upon prisoners committed for no offence. Without going into the changes which might be introduced into convict establishments by the Bill, he thought the House would have been better satisfied if they had obtained from the Home Secretary an intimation that the rules of convict establishments would be subject to revision. The system was established as an experiment at the time when transportation was abolished, and in some degrees was forced on by philanthropists, who were influenced by kind motives towards the prisoners, although, unfortunately, their tender mercies had turned out to be very cruel. He could not, therefore, refuse to vote for the Motion as a protest; but he would appeal to the hon. Member for Mayo whether, if he pressed this Motion to a division, he would have a satisfac-

tory decision upon it? The question he wished to raise was, that the present convict system required revision. He felt sure that there were many in the House quite willing to support a Motion for such a revision, but who could not bring themselves to vote for the Motion then before them. There were many who would share the reluctance he felt, and yet who would not with that reluctance vote in favour of the Motion, but against it. Therefore, a division would not decide the great question whether the whole system ought to be revised, or the treatment of the Irish prisoners, which had been incidentally raised. He wished to say one word in reference to the Commission. He thought that some person on behalf of the prisoners should have been permitted to put questions to the prison officials, and elicit the truth. He had offered to undertake that office, and in carrying out the duty, he would not have proceeded in a vexatious manner, and he regretted that his offer had not been accepted. By that means the truth might have been arrived at, and it might have led to the removal of many abuses. The conduct of the officials might have been entirely vindicated, though he did not think that would have been the case, and some satisfaction would have been given to the people generally. Upon the grounds he had given—namely, that a vote taken then would not fairly represent an opinion upon the question sought to be raised, he hoped his hon. Friend would not press his Motion to a division.

MR. O'CONNOR POWER, after the appeal which had been made to him, did not intend to put the House to the trouble of dividing. He presumed he would not be in Order if he proceeded to make a reply to what they had heard from the Home Secretary; but he appealed to the indulgence of the House for the opportunity of making a few observations in the nature of a personal explanation. In the course of the statement he had felt it to be his duty to make he had said he would lay before the House some personal experiences; but he had been so completely carried away by the details of prison cruelties that he had forgotten that promise at the time. For a period of six months he had been a political prisoner untried, and four months of that time he had passed in solitary confinement, without means of communication, and subject to severe treatment if he attempted any mode of breaking the silence of his prison. On a previous occasion when he had felt it his duty to submit this question to the House, he did not like to trouble the House with his own experience, because at that time he, with others, was looking forward for that act of amnesty and clemency which would wipe out the recollection of all such cruelties, and remove all the bitter feelings in regard to them. He begged leave to withdraw his Motion.

Amendment, by leave, *withdrawn*.

Main Question put, and *agreed to*.

Bill *considered*.

DR. KENEALY moved to insert after Clause 10 the following clause:—

(New rules to be made by visiting justices.)

"All prison rules now existing shall be repealed, and Visiting Justices shall be empowered and required to make new rules for the internal regulation and discipline of their respective prisons."

The object of this Amendment was to make convicts independent of prison officials, who must always have a certain interest in stifling any complaints which those persons might wish to make. The hon. Member was referring to a subsequent Amendment he had on the Paper, when——

MR. SPEAKER pointed out that this was not in Order.

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. ASSHETON CROSS pointed out that they were not now discussing convict prisons. The Bill dealt entirely with county and borough prisons. At present the rules for these prisons were not really made by the Visiting Justices but by the Secretary of State, for though the Visiting Justices had the power to initiate rules, they must be approved of by the Secretary of State. If they allowed the Visiting Justices to make separate rules all over the country, they would be defeating that which was the great object of this Bill—namely, the establishment of uniformity of discipline throughout the country.

MR. WHALLEY supported the second reading of the clause. He ridiculed the idea of the Home Secretary that it was possible to secure uniformity of discipline throughout the prisons of the country inasmuch as the varying circumstances of each locality would render all rules framed with that intention impracticable. He hoped this discussion would delay the further passage of the measure, which he thought had not as yet received that amount of consideration the subject from its very importance required.

MR. BUTT objected to the Amendment on the ground that it gave an absolute power to the Visiting Justices to make rules.

MR. BIGGAR opposed the Amendment. It might be as well not to press it.

MR. PARNELL thought the proposed clause was a radically bad one and most mischievous—some of the existing rules might be very good.

Question put, and *negatived.*

DR. KENEALY then moved the following clause:—

"Prisoner to be tried by jury at sessions for breach of regulations.)

"In these rules it shall not be lawful to impose the penalty of flogging prisoners for infraction of prison regulations; but if any prisoner wilfully infringes or disobeys those regulations to an extent that, under the present system, would apparently authorise corporal punishment, the charge against such prisoner shall be tried by a jury at the next quarter or borough sessions for the district in which the offence has been committed, and the jury shall decide whether the prisoner deserves corporal punishment or not."

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. SERJEANT SIMON said, he could not support the clause as it stood, much as he desired to put down flogging in gaols. The clause was, in fact, impracticable. A man might wilfully break some prison rule within a day or two of the expiration of his sentence. The authorities could not detain him beyond that period for trial before a jury or at quarter sessions. Besides which, the clause would give the jury an authority which a jury never before had —the authority now vested in the Judge of determining the punishment to be inflicted upon the offender.

SIR GEORGE BOWYER thought, as a magistrate, that it would be quite impracticable to refer cases of breach of discipline to a jury. Many prisoners held in contempt every other mode of punishment but flogging, and were only kept in order by the fear of its infliction. He believed it had been the means of putting a stop to garotting. It would not be possible to keep up prison discipline without retaining the power of flogging at the discretion of the Visiting Justices.

MR. P. A. TAYLOR denied that the punishment of flogging had anything to do with the suppression of the garotting mania, as it had subsided before the Act making it punishable by the lash had passed the Legislature. It was, however, a strange coincidence, if nothing more, that immediately on the passing of that Act the crime it was intended to suppress, that of robbery with violence, increased.

MR. O'CONNOR POWER wished to amend the clause so as to make it altogether prohibitory of flogging as a punishment for the maintenance of discipline.

MR. SPEAKER informed the hon. Gentleman that before he could move his Amendment the clause would have to be read a second time.

MR. BIGGAR said, he was disposed to support the clause, as it was a step in the direction of the total abolition of flogging. If the hon. Member for Stoke would consent to omit all the words after "regulation," and so direct the clause against flogging altogether, he would support it. Generally speaking, he was against these degrading punishments, for all such punishments tended to brutalize the victims. He was opposed to the corporal punishment even of garotters, and he was glad to hear that the repression of garotting was not due to its infliction. Surely other means of maintaining discipline might be found. It seemed to him that, of all places in the world, the last in which it should be necessary to resort to flogging was a prison. Let them take the case of a man imprisoned for an assault. Probably a passionate man, he might commit an assault on one of the warders, and would so render himself liable to be flogged at the discretion of the Visiting Justices.

Thus a man might be flogged for an offence committed in prison, while he could not be flogged for the same offence committed out of prison. He thought flogging should never find a place in England except under the most dire necessity.

MR. BUTT said, he was in favour of the total abolition of flogging in gaols. Even in the most refractory cases other and efficacious modes of punishment might be resorted to, but the lash hardened and brutalized a man. As he understood the hon. and learned Gentleman the Member for Stoke was willing to omit the latter portion of the clause, the provisions of which were not objectionable, so as to meet the views of his hon. Friend the Member for Mayo, he would support the second reading of the clause. A prison was the last place where such punishment was or ought to be required. Surely they could keep up discipline without it.

MR. HOPWOOD believed that flogging was not necessary for the preservation of discipline in prisons. Milder treatment and a system of rewards had been introduced into Manchester Gaol three years ago, and with good results. The punishments had fallen in one year from 3,745 to 746 by the adoption of a system of marks and of leniency, and it showed that prison government by means of hope and reward was the most successful.

MR. ASSHETON CROSS opposed the clause. The very fact of the prisoners knowing that they rendered themselves liable to be flogged for breach of rules prevented the necessity of having recourse to it. It was, however, a punishment which he should take care should not be unnecessarily inflicted.

Question put.

The House *divided*:—Ayes 70; Noes 191: Majority 121.—(Div. List, No. 152.)

And it being after ten minutes before Seven of the clock, further Proceeding on Consideration of the Bill, as amended, stood adjourned till *this day*.

The House suspended its sitting at Seven of the clock.

The House resumed its sitting at Nine of the clock.

Mr. Biggar

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

IRISH TAXATION.—RESOLUTIONS.

MR. MITCHELL HENRY, in rising to call attention to the inequality of Irish and English Taxation, and to move the following Resolutions:—

"(1.) That the burden of Imperial Taxation imposed on Ireland is excessive, and out of proportion to her financial ability to bear it as compared to England.

"(2.) That this inequality is a violation of the promises made at the Union, and occasions a loss of capital which, accompanied by the annual absentee drain, is the main cause of the small material progress of the country.

"(3.) That to tax a poor country on the same scale as a rich one is in itself unjust and opposed to sound economic principles; whilst the fact that the excessive taxation raised in Ireland is in great measure expended out of Ireland forms an aggravation of the injustice, and makes permanent improvement hopeless until the present mode of dealing with Irish Revenues is altered,"

said: Mr. Speaker, although the House of Commons is the guardian of the public purse, financial discussions are not popular with it. Even the Budget does not always attract a very full audience; and the discussions of Amendments on the Budget, except they are of special importance, always take place in the presence of a select, and small audience. If, however, the grievances, in a monetary point of view, of Ireland are brought under review, no more unpalatable subject can be introduced to a Legislative Assembly. That arises, I believe, from a very general impression that these alleged grievances are unsubstantial, perhaps even fictitious; and if, in submitting them, I have to refer, as I must do to-night, for a very short time to some historical aspects of the question, the impression I have to combat in the minds of many of my hearers certainly will be that the case is altogether unfathomable. I do not share that opinion, and certainly should not bring the subject before the House of Commons again unless I had a firm conviction that it is of the most serious interest to the welfare of both countries. The more I study it, the more I see the iniquity of the present arrangements. I

believe that the misery that has occurred in Ireland—I believe the miseries that have occurred in England owing to her connection with Ireland—have arisen in a large measure from the financial relations of the two countries.

First of all, I must ask the attention of the House to the strange impression in this country, and perhaps in the House of Commons also—that the Irish Parliament was an Assembly got together at the close of the last century, when England was in difficulties; that it assumed to itself the name of a Parliament without being one in reality; that it existed for a few years; that it did many improper things; and that eventually it was dissolved by the will of England, and for the good of both nations. Sir, that impression ought to be corrected. Parliamentary institutions in Ireland are almost coeval with the invasion of Ireland. There have been Parliaments in Ireland since the time of King John, and the Irish Parliaments have met with as great regularity as the Parliaments of England. I mention that because it is necessary to explain that the finances of Ireland were as much under the jurisdiction of those Parliaments as they are now under the jurisdiction of this Parliament. At the same time, the Parliament of England frequently attempted to interfere with the taxation of Ireland, but those attempts always met with resistance; and the accounts of such contests remind one very much of the contests that have taken place in this country between the House of Lords and the House of Commons as to which should have the custody of the national purse. Now, the Parliament of Ireland, long before 1782, which is the date many fix for the beginning of an Irish Parliament, imposed taxation. It had regular Budgets which were laid upon the Table of the House, and the Budgets were discussed just as Budgets are discussed in this House. In the year 1773 there was a Return made to the House of Commons of the amount of the revenue, and that revenue was something under £750,000. It was, stated more exactly, £640,000, and the debt was £976,000. This was taken from the average for the 12 years previous to 1773. The taxes were raised in this way. They were called "the King's hereditary revenue," and were revised from time to time. The last revision took place on the accession of Charles II., and the bulk sum was made up not only of King's rents, and all fines, and confiscations, and tolls, lighthouse, and so on; but it also included the Customs outward and inward, just as in former years we had both of them here, and as we now have inward Customs. It included duties on beer and wine and strong waters. Those strong waters—whiskey, was taxed, it may be interesting to say, at 4*d.* per gallon; and I do not know that Ireland was any more drunken than she is falsely accused of being now. There is no indication that Ireland was worse off because she paid a light taxation upon drinks and had the money to pay for other things. I want, however, to draw the attention of the House to the way in which the Debt and Revenue were administered in 1782, when the independence of the Irish Parliament was declared. That was during the troubles of the American War. What is called the independence of the Irish Parliament was nothing else than the repeal of "Poyning's Law," which was passed in Henry VII.'s reign, and prevented the Irish Parliament from really legislating for the nation, because all laws which it might pass were subject to the revision of the English Privy Council. What was called the independence of the Irish Parliament then was the repeal of Poyning's Law. The Parliament continued as it was and as it had been—all that happened was that the Privy Council no longer revised the Irish statutes. Independence, then, being established, I wish to call attention to the fact, that from 1782 to 1793—which may be taken as the prosperous period of Ireland's history, when she had the management of her own affairs—when she was not interfered with, the increase of Debt was only £162,000. The whole Debt, indeed, at 1793 was under £1,000,000, the increase from 1773 being little more than £500,000. Then came the troubles of 1793, and the Debt rapidly increased, so that in 1798 Ireland had contracted a Debt of £10,000,000; and in 1800, which was the date of the Union, the Debt of Ireland was £22,500,000. I desire to establish these facts, because they are very important. They are important because they show that the taxes of Ireland were very light when she had the management of her own affairs; and that it was not until she was involved in

troubles with England that her Debt and taxes rapidly increased.

What happened next? The English Government determined that the Irish Parliament should be suppressed, and for that purpose employed a mixture of cajolery, terrorism, chicane, and deceit. I will not characterize further the way in which the Union was brought about, because everybody knows it. One of the specious arguments used by Lord Castlereagh was that it would stop the accumulation of Irish debt; he said that Ireland was rapidly running into debt; that the debt then amounted to £22,500,000; and he said—"If Ireland unites with us we will manage her affairs so that she shall share only in the proper portion of our expenses." The Union took place in 1800, and at that time the Irish taxation stood at £3,500,000. The very next year Ireland was taxed exactly double—£7,000,000—and the Debt augmented every year until in 1810 there was a Debt of £65,500,000. Such was the state of affairs 10 years after the Union. In 1816 the Debt of Ireland had increased to no less than £111,000,000, notwithstanding that she struggled hard to pay the taxes imposed upon her, as I will show to the House. In 1806 Ireland was called upon to pay £8,250,000. She did pay £4,500,000, and borrowed another £4,000,000. In 1815 Ireland was called upon to pay £17,000,000 of taxation. She did pay £6,500,000, and borrowed £10,500,000 more. I think anyone who reads these figures will come at the conclusion that the Irish people did their duty gallantly, and that the taunt ignorantly thrown out against them, that they preferred to tax posterity rather than themselves, is undeserved. For what do we find? In 15 years after the Union, Ireland was called upon to pay £148,000,000 in taxation; in the 15 years before the Union she paid £41,000,000 only—less than £2,250,000 a-year. I said before, that Lord Castlereagh promised that the taxation of Ireland should be apportioned to the financial ability of the country. Was that promise kept? An objection was taken at the time that if a country having a small income was to be compelled to join a country with a very large income, and that if the country with a large income entered into war with another country—as this country did with France—then the country with the small income would be ruined. It is like the case of two individuals. A gentleman with an income of £500 a-year is asked to join in relative expenses with a gentleman with £5,000 a-year. But there are many expenses which may be proper for a man with an income of £5,000, and very improper for a man with an income of £500, and which he would never think of incurring. The Irish nation never wished to go to war with France. They never wished to be placed in the position of being united with England, and of incurring an enormous burden of debt, in order to dictate to the French people which form of Government they should have. When the Union took place, the Debt of Ireland was £22,500,000, and the Debt of England was £450,500,000; therefore, Ireland, a poor country with a small Debt, was called upon to join a country having a Debt without a parallel in magnitude. The Home Secretary has been asked several Questions recently by a Member of this House (Mr. Locke) about the privileges of the Channel Islands; and the right hon. Gentleman in his reply, while saying that the Islands had Home Rule, which he did not seem to like, added that there were no taxes in the Channel Islands. That is not actually true, but it is very nearly true. The people living in the Channel Islands do not wish to have Home Rule abolished and taxation imposed. Suppose, however, an enterprizing Home Secretary some day takes it into his head that this condition of things in the Channel Islands should be reformed, and that they should be joined to the united Parliament, you would financially ruin the Channel Islands in just the same way that you have ruined Ireland.

Sir, I think I have established the facts as to the income of Ireland and as to the Debt of England. But now what was the proportion in which it was said by Lord Castlereagh Ireland should contribute to English taxes? His proposition was that it should be two-seventeenths of the joint expenditure. He said he fixed on this proportion because that was about the proportionate wealth of the two countries. That was a gross, a transparent, a most iniquitous and shameful deception. But it was carried by sheer brute force—by an unreasoning majority against everyone who knew anything about the finances of the country; against the protests of

the Irish House of Lords, of Mr. Grattan, and of the people outside the House of Commons. Mr. Grattan said very truly—

"If this Union is brought about Ireland loses its liberties. The country that loses its liberties loses its revenues."

I shall quote, however, the opinion of one who will command the regard of hon. Members opposite. Dr. Johnson said to a friend—

"I advise you not to unite with us. We should only unite with you to rob you. We should have robbed the Scotch if they had anything of which we could have robbed them."

I do not, however, agree with that. The Scotch took care that you should not rob them. They resisted you, and resisted you successfully. They took care that you should neither rob them nor interfere with their religion, but the Irish were not strong enough to resist, and you have succeeded in robbing them as well as in persecuting them on account of their religion. The Speaker of the Irish House of Commons (Mr. Foster) on this subject, speaking on the 17th of February, 1800, said, referring to the calculations of Castlereagh:—

"We do not want these speculative calculations; we have a better criterion than any of the calculations of the noble Lord to show what would have been our actual situation on the 25th of March last had the proposed arrangements then taken place. In six years, from 1783 to 1799, England increased her Debt by £186,000,000. During the same period Ireland increased her Debt by £14,000,000, making a total of £200,000,000. Well, if this blessed Union had taken place at this time Ireland would have been called upon to pay £23,500,000 instead of £14,000,000."—[*Irish Debates.*]

Now, that cannot be refuted; and in 1817, when the Debt of Ireland was two-seventeenths of that of England, the two Exchequers were united, Ireland having a Debt of £112,000,000, and England a Debt of £734,000,000. By the provisions made in the Act of Union the two Debts were amalgamated, and England became responsible for £112,000,000 of Irish debt, and Ireland became responsible for £734,000,000 of English debt, for which she has to pay at this moment her proportion of the interest. Nothing more iniquitous ever occurred in the history of any nation, and what explanation can be given of it on the ground of justice I am at a loss to know. The Irish public at last are beginning to understand how they were fleeced and plundered; and they know now why they have to provide immense taxes up to this day to cover debts which they never incurred, and to pay off responsibilities which ought to be cleared off by England alone.

But now I come to modern times, and ask how has Ireland been treated of late? The answer is—In the last 25 years the taxation of Ireland has been doubled. She pays now £8,500,000 a-year to the finances of this country against £4,000,000 which she paid 25 years ago. But that is not all. During this period—that is the last 25 years—the population of Ireland has diminished by about one-half. If, therefore, the population is diminished one-half, and the taxation has doubled, that means that Ireland is paying four times as much taxes as she paid 25 years ago. The taxation of Ireland really is not quite so much as this, but it has arisen from 9*s.* 6*d.* per head to 32*s.* per head, or more than 300 per cent. During this time what has happened to us? We have had a famine—that dreadful affliction, which produced untold misery and suffering to the people, and which reflected the utmost disgrace on England. I remember the late Mr. John Martin being blamed in this House because he said what was literally true—namely, that the English Government was, to a great extent, responsible for the Irish famine. What he meant was this—that the abominable system of Government which was introduced and fostered, first by one party and then by another, had reduced the country to such a state that when the famine arrived it found Ireland an easy prey, and that therefore England was responsible for the consequences of her own acts, and that is quite true. If a man by neglect and mismanagement brings up his family in such a way that the first appearance of distress lays them low, he is responsible. But is it maintained that this doubling of the taxation is a proof of the prosperity of the country? There are people who say so. I believe the late Member for Dublin (Mr. Pim), who seemed to take about as cheerful a view as any one—as cheerful as the most hopeful Viceroy that ever made a speech at the Mansion House—(they are always stereotyped speeches at the dinner of the Lord Mayor of Dublin—Ireland is always prosperous and prospering—the patient is always dying of good

symptoms)—even he cannot maintain that the increase of prosperity has been very great. In fact, it has been very small. Half the population is gone, and my complaint is this—that this enormous taxation, which I have shown to be totally out of proportion to the taxation of England, falls on the poorer classes. It is the poor working people who are taxed, and that is the class you always find discontented, and always miserable, and who are driven to emigration, and sometimes to crime. Last year Ireland paid the largest Excise duty ever known in that country. She paid £6,500,000, while a few years ago it was only £4,500,000. It is said that this Excise duty is a voluntary tax. I hear some one cheer what I have said; but I hope the hon. Member will wait until I have established my argument, for I contend that there is no greater fallacy than such a contention. Whatever my hon. Friend the Member for Louth (Mr. Sullivan) and others may say, alcohol, in some form or another, has formed a portion of the diet of man, if not from the creation of the world, at all events from the days of Noah, and it will very likely remain portion of the diet of man until there is no man left to feed. It is a monstrous thing to think that the particular beverage of the Irish people—the only beverage they make—should be taxed in this way; and I am perfectly astounded when I hear hon. and right hon. Gentlemen say, as the right hon. Gentleman the Member for Pontefract (Mr. Childers) said the other night, that this tax on whiskey was imposed on moral grounds. There never was a statement more unblushingly or more scandalously unjust. The Excise duty on whiskey has been raised for no other purpose than to raise a greater revenue from Ireland. In 1853 the spirit duties were first increased. They were then raised from 2*s.* 8*d.* to 3*s.* 4*d.* per gallon. In 1854 they were raised to 4*s.*, in 1855 to 6*s.* 2*d.*, in 1858 to 8*s.*, and in 1859 to 10*s.*, and now they produce £4,500,000 a-year. If anyone tells me that this change was made on moral grounds, I should look on him as one of the most credulous individuals that could be found. When you talk of the Irish people drinking spirits, it must be remembered that they do not drink in anything like the way the Scotch drink, nor do they drink anything like what the English drink. The Irish people, if not amongst the most abstemious people in the world, are certainly the most abstemious people in the Three Kingdoms. Will you show me another part of the United Kingdom in which the people voluntarily close the public houses on Sunday? This is done in a considerable portion of Ireland, and these are the people you say are given over to this imaginary drunkenness, and by that drunkenness voluntarily increase the taxation. Look how you treat the Englishman who drinks his beer. Let us consider how that is taxed. The alcohol in beer is taxed at 1*s.* 9*d.* per gallon, but the alcohol in whiskey is taxed at the rate of 10*s.* per gallon. If you tax the Englishman's beer as you tax the Irishman's whiskey, you would raise £90,000,000 a-year. You could pay all taxes and have a good balance to devote to the National Debt, and at the same time you would ease your moral conscience, which is so much disturbed, because your neighbours take their alcohol in the form of spirits rather than as beer, which is not to be obtained in country districts. You have raised the duty on the poor Irishman's whiskey from 2*s.* 8*d.* to 10*s.* per gallon, and your reason for that is that you act on moral grounds. Well, the Irish people do not ask you to remove the duty on whiskey. They do not deal with this great subject in any such paltry way, but they do ask you to deal justly with all.

I have already pointed out that we contribute £8,500,000 to the public Exchequer, but there is no use in talking about the taxes of a country unless you know what the income is. What is the income of Ireland now? The most conclusive test that you can apply to that is the test of the Income Tax. There are, however, two tests which may be taken, but the most popular one is the Income Tax, and it has been quoted by the Chancellor of the Exchequer for some years past. Now the Return of the Income Tax assessment for 1874 in Ireland was £28,500,000. We were called on to pay on that figure. In England the income was set down as £543,000,000. That was the relative wealth of the two countries! The income of Ireland in the year I take was £28,500,000, and in England the income was over £500,000,000. But it is objected that the Income Tax in Ireland

is not fairly assessed. It is said that the funded property in Ireland is not included in this Return, nor profits on office, and that the valuation of Ireland is a great deal too small, and therefore that our Return of the Income Tax is an unfair one. But suppose we make allowance for this on the most liberal scale. We are not particular to £1,000,000, and we will add £2,000,000 more to cover all that is likely to spring from a re-valuation. I think it is likely that if the Government Valuation Bill passes we should be taxed on £2,000,000 more; but allowing for all this, perhaps the highest estimate will be reached if I allow the income to be brought up to £32,000,000 in Ireland as against £543,000,000 in England. How does the argument stand then? Why, Ireland pays £8,500,000 a-year out of £32,000,000, and England £78,000,000 out of £543,000,000—that is to say, England pays one-eighth of her income in Imperial taxes, while Ireland pays one-fourth. No one pretends that the income of Ireland is anything like one-eighth that of England, yet she pays at least one-eighth of the taxes. The wealth of Ireland is, indeed, more like one-seventeenth. But mark another fact. Such is the great wealth of England and Scotland that the assessment there has risen by £88,000,000 in five years—it has risen, in fact, to £543,000,000. That is a growth compared with which the growth of Ireland is infinitesimal. Ireland is the least progressive country in the whole of Europe, and yet Ireland contributes 5*s.* 3*d.* out of every pound liable to the Income Tax, while England pays only 2*s.* 7*d.*

But there is another test as to the welfare of the country, and that is the test which has been applied by Mr. Dudley Baxter, who was very popular with financiers at the other side of the House. In 1869 Mr. Dudley Baxter, in estimating the total income of Great Britain from all sources, including wages, and so on, assessed the Income Tax at only £400,000,000, whereas now we know it is £543,000,000. I must, therefore—calculating on the same basis, and allowing for this increase—take the income of Great Britain at no less than £1,000,000,000 a-year. I make a similar careful calculation for Ireland, and I find that the income of Ireland is in that way £54,000,000 a-year. Now, £54,000,000 a-year is a large and an over estimate for the annual wealth of Ireland, and I have shown what it is has to be contrasted with the £1,000,000,000 a-year of Great Britain. Again, Ireland pays for local taxation £3,500,000, and England pays £34,000,000. You will, therefore, find that the Irish pay £8,500,000 of Imperial and £3,500,000 of local taxation, making a total of £12,000,000 out of an income of £54,000,000. Ireland, therefore, pays £1 out of every £4 10*s.* which she possesses—a sum equal to 4*s.* 5*d.* in the pound taxation for Imperial and local purposes. England, on the contrary, pays only £1 out of every £10. England pays at the rate of 2*s.* in the pound in the year for local taxation and Imperial, and Ireland pays 4*s.* 5*d.*; and I may thus say that I have proved my first proposition.

I have thrown what I wish to lay before the House into the form of three propositions, and these three propositions taken together contain an epitome of the financial case of Ireland. They are divided into three heads, and each one is like a proposition in Euclid, which must be proved; and those who answer, any one head must show that the proposition is incorrect. I have shown that the burden of Imperial taxation imposed upon Ireland is excessive. Will anybody say that it is not excessive taxation when more than a quarter of our income goes in taxes? I have also shown, in regard to her financial position, that she is not able to bear this taxation, and certainly it is out of proportion to her ability to pay as regards England. The taxation imposed on Ireland takes a larger proportion out of her income than taxation takes out of the pocket of England. I would rather, however, strengthen my case by quoting the opinions of the right hon. Gentleman opposite. I will take the Report drawn up by the present Chancellor of the Exchequer for the Irish Taxation Committee of 1862. He said—

"The pressure of taxation will be felt most by the weakest part of the community, and as the average wealth of the Irish taxpayer is less than the average wealth of the English taxpayer, the ability of Ireland to bear heavy taxation is evidently less than the ability of England. Mr. Senior, whose evidence on the position of Ireland will be found very suggestive, remarks that the taxation of England is both the heaviest and the lightest n Europe—the

heaviest as regards the amount raised, the lightest as regards the ability to bear that amount; but that in the case of Ireland it is heavy both as regards the amount and as regards the ability of the contributor; and he adds that England is the most lightly and Ireland the most heavily taxed country in Europe, although both are nominally liable to equal taxation."

And now I should like to answer one or two objections. It is said that Ireland has a certain number of exemptions from taxes, and it is perfectly true that Ireland has not assessed taxes and some others to pay. Let us look closely at what they are. The taxes from which Ireland is exempt is the land tax, the railway passenger duty, and, formerly, also the assessed taxes—some of which latter Ireland was supposed to be unable to pay. The practical result of those exemptions is very little—perhaps they would make an additional £326,000 a-year if estimated on the scale of their produce in England; but to say that this would have any effect on my argument is perfectly idle.

Again, it is said Ireland receives great contributions from the Exchequer. Now, what are the contributions that Ireland receives? Ireland, you may say, gets £2,000,000 a-year from the Exchequer; England gets £3,100,000. Well, of course that is a larger contribution than Ireland would naturally be entitled to. But what is one half of this money given for? Why, £1,000,000 goes to maintain the Irish Constabulary—that army of occupation which England deems it necessary to keep in Ireland. In Ireland we do not manage our own police; but England keeps the police—armed as they are with carbine, sword, and pistol—as an army of occupation, and the police perform the duties of an army of occupation. I say that this £1,000,000 a-year ought to be added to the Army Estimates. England, in point of fact, thinks she is obliged to pay this money to keep the Irish in subjection; and to talk of Ireland receiving this as a contribution from the Exchequer is like buying the taws out of the schoolboy's pocket-money. I make not the slightest reflection upon the Irish Constabulary; I only say they are armed as soldiers and drilled as soldiers, because England thinks that unless they were armed in this way she could not keep the Irish in subjection. Therefore, all that Ireland gets is £1,000,000.

Mr. Mitchell Henry

But there is another objection, and that is one taken by the late Chancellor of the Exchequer (Mr. Lowe). That right hon. Gentleman discovered that it is not a country that is taxed, but that it is the people who live in that country. He says—"It is all fudge. The present Chancellor of the Exchequer was quite mistaken when he drew up these Resolutions on General Dunne's Committee. An Irishman pays no more for his whiskey, tea, or sugar than an Englishman does or than a Scotchman does. He has nothing at all to complain of." Anybody can see what a piece of jugglery this is. The right hon. Gentleman (Mr. Lowe) seems to think that Ireland is like an English county—that Ireland is like Shropshire, and that Ireland ought to bear exactly the same burdens as England. But, Sir, that was not the arrangement of the Union, and until you repeal the Union and get rid of it, you must submit to the terms—I will not say contract, because a contract requires two parties. But you must accept the terms you imposed upon Ireland; and if the Irish people are foolish enough to give up the question of geographical taxation their case is gone. Ireland was to be taxed in proportion to her financial ability as compared with England. It is not a question of individual taxation. It is a question of the taxation of the nation. It is a fraud, Mr. Speaker, for any hon. or right hon. Gentleman so to represent it. Ireland is a separate country, and was to be taxed as a separate country. It is separated by a wide space of ocean, by national feeling, by religion, and by those institutions, and the absence of institutions, which pointedly mark the separation between two countries. But, above all, it is separated by Treaty. You cannot abrogate the rights of Ireland any more than you can abrogate the rights of Scotland. Let me see this House interfering, or attempting to interfere, with the established religion of Scotland, and see what you will hear of it; and unless you felt strong enough to brave Irish indignation, you would not attempt to abolish geographical taxation. Ireland is to be taxed as a country, and not as a collection of individuals; and to tax a poor country like Ireland as you would tax a rich country like England is manifestly unphilosophical, besides being a breach of your honour. But there is still another tax

on Ireland to which I have not referred. There is the absentee tax. There is £3,500,000 taken out of Ireland by gentlemen who never go near it, and this sum brings Irish taxation up to £12,000,000 a-year. This is what is taken out of the soil—out of the annual produce of the soil and manufactures of Ireland. My second proposition, then, is this—

"That this inequality is a violation of the promises made at the Union, and occasions a loss of capital which, accompanied by the annual absentee drain, is the main cause of the small material progress of the country."

I need not dwell further on that, for anyone can see that this drain must be a main cause of the small progress of the country. My third proposition is—

"That to tax a poor country on the same scale as a rich one is in itself unjust and opposed to sound economic principles; whilst the fact that the excessive taxation raised in Ireland is in great measure expended out of Ireland forms an aggravation of the injustice, and makes permanent improvement hopeless until the present mode of dealing with Irish Revenues is altered."

That is my last point, and I shall be brief. No Chancellor of the Exchequer ever touches that consideration. You take £8,500,000 out of Ireland, and that money, for the greater part, is spent in England. I quite agree that Ireland receives in protection from foreign enemies as great advantages as England herself. Ireland has the same interest as England in the maintenance of the monarchy and in foreign affairs, and to that extent we wish to unite ourselves with England, provided our rights are respected. But where are all your manufactories? Where are all the dockyards? Where is everything that requires the expenditure of public money? Why, in England. You treat Ireland as a man treats a field when he takes a crop of grass off it every year, and never brings any manure to put on the ground. The man expects the field to go on yielding him crops, but in time it becomes barren. One of the reasons for the present condition of Ireland is that she has not her fair share of national expenditure. You actually argue that you are not justified in making a dockyard in Ireland unless it is shown to have superior advantages over England—that you ought to place the dockyard wherever, in an economic point of view, you can get the best return consistent with the centralization in England. That is all very well for you; but it is not so for the people of Ireland. We claim no reduction of the duty on spirits; but we do claim that some portion of the enormous sums raised from Ireland is spent in a rational and statesmanlike mode for the development of the resources of the country. We may fitly look to the Conservative Party for something of that sort. They never feel bound by the cast-iron rules of political economy when the landed interest is concerned, which are so much in vogue with the Party lately in power. One of your statesmen, Lord George Bentinck, tried to carry a comprehensive plan of railways for Ireland; but, shameful to say, he was defeated by the Irish Members themselves. They were bought off or influenced by the Government of the day, but such things are not to be done now. If the Ballot has not given a representation quite so agreeable to the amenities of social life, at any rate it has given Ireland a more real representation. Bring forward some sensible proposition; enforce the provisions of the Health Act; carry out a system of communication between town and town; provide for higher education, and remedy the dearth of middle-class schools. In India you spend money on public works, and you may do it wisely or unwisely; still your sentiments are worthy and philanthropic. I appeal to the Chancellor of the Exchequer to take a wider view of this question. We do not, I repeat, ask you to reduce the duty on spirits. We do not want to become drunk, or to have adulterated whiskey. We ask the Chief Secretary to see, at all events, that it shall not be adulterated. Let them, as I have said, put in force the provisions of the Health Act, which they have never yet done. We want railway communications—we want harbours. We have not money to make them ourselves, and such is our poverty that I solemnly declare—and it is not only my belief, but that of many others—that two bad harvests do not stand between Ireland and starvation, so entirely dependent are we upon the bounty of Heaven. If the rains are excessive, or if the sun withhold for two years its heat, in spite of all your legislation, and in spite of all your speeches of your Viceroys at Lord Mayors' dinners, my

belief is you would witness a great calamity, such as would rudely dispel your notions of Irish prosperity; and on this ground, as well as on their absolute justice, I commend these Resolutions to the House.

Motion made, and Question proposed,

"That the burden of Imperial Taxation imposed on Ireland is excessive, and out of proportion to her financial ability to bear it as compared with England."—(*Mr. Mitchell Henry.*)

After a pause—

THE CHANCELLOR OF THE EXCHEQUER said, he should have preferred that some Gentlemen from Ireland had followed the hon. Member for Galway. Having, however, listened to the hon. Member, and seen the ingenious way in which he had brought forward his Motion, he could well understand that other hon. Members might be content to leave the question in the position in which he had placed it. He confessed the hon. Gentleman had stated his case with considerable ingenuity, ability, and plausibility; but, at the same time, he could hardly connect the speech of the hon. Member with the Motion which had been submitted to the House, and he confessed that the hon. Member had failed altogether to make out the case which he desired that it should accept. The point he endeavoured to establish was this—not that the taxation of the two countries should be altered, but that a good deal more public money should be expended in Ireland than was spent at present, and that, irrespective of the works being such as it would be best for the interests of the country at large to undertake. That was a proposition which it was difficult for the Government to accept. They would all agree that a certain amount of taxation should be raised, and that that amount should be as small as possible. But then, he asked, was it not undesirable to expend any part of the money so raised upon anything that was not in itself the most desirable object of expenditure? If £100,000, say, were spent in Ireland to attain an object which could be better attained for £50,000 or £60,000 in another portion of the United Kingdom, it would, he thought, be rather difficult to satisfy the House that that was a proper course to adopt in the interests of the taxpayers generally. But then, said the hon. Gentleman in effect—"I am not considering the interests of the taxpayer generally, but only of a section of the taxpayers; and I ask you, because of the peculiar position of the Irish taxpayers, not to reduce their burdens, but to spend a little more of the general taxpayers' money in their country." Well, if they took an extreme case and, in order to attain some material result in which all were interested, they expended, say, 50 per cent more to have dockyards in Ireland, rather than elsewhere in the United Kingdom, they would render it necessary to raise 50 per cent more by taxation. But if they did, they would increase rather than diminish the taxation of the people generally, and therefore of the people of Ireland, who bore their proportion of the general expenditure. That was an argument against which he resolutely protested, and against which he hoped all future Chancellors of the Exchequer would resolutely protest. When they considered how the Imperial expenditure ought to be regulated, they should provide that it should be employed in the manner most generally advantageous to the Empire so as to get as nearly as possible the best shilling's worth for their shilling. The hon. Member said that the Irish taxpayers paid more on account of their whiskey than did the English taxpayers for their beer. Well, that argument contained a fallacy, and the hon. Gentleman did not press it. What he asked was that a little more of the money so raised should be spent on public works in Ireland. That was a question which the hon. Gentleman fairly admitted was not a new one. In one form or other it had been considered since the time of the Union, and for the last 15 years, at least, in the shape in which it had been now brought under the notice of Parliament. General Dunne, a valued friend of his (the Chancellor of the Exchequer), had obtained a Committee to consider the subject, the Report of which Committee it fell to his lot to draw up; and one question considered by that Committee was, whether the taxation raised as between England and Ireland might not be compared to the taxation raised as between one English county and another? But anyone looking at the question might well remember that they lived in a United Kingdom, having one common Debt and one naval and military Service.

Mr. Mitchell Henry

The question might be asked why this complaint of unfair taxation was so often raised on the part of Ireland. Ireland, it was true, did not contain so large a number of wealthy men as an equal portion of the North of England or Middlesex, but the same might be said of portions of Scotland, Wales, and England itself. Why, then, were they told that if equal taxes were laid upon both countries the incidence of taxation fell unfairly on that portion of the Kingdom? The House must remember the manner in which the union of the two countries was effected. Ireland 100 years ago had a very small Debt and raised a small revenue, and when the two countries were united, the proportion of Debt borne by each was very different. The question was most carefully discussed by General Dunne's Committee, and the conclusion to which that Committee came, and which was founded upon the evidence, had never been shaken. The whole matter rested on the 7th Article of the Treaty of Union, which provided that certain proportions should be maintained between the revenues of one country and the other. It was enacted that for the space of 20 years after the Union the contributions of Great Britain and Ireland towards the expenditure of the United Kingdom should be defrayed in the proportion of 15 parts by Great Britain and two parts by Ireland. After the experience of 20 years it was provided that these proportions should be revised according to certain rules laid down, unless Parliament declared that the expenditure of the two countries should be defrayed in two equal parts. This evidently contemplated that a system of indiscriminate duties might possibly be found equitable and desirable. A provision was also made that in the event of either country raising a loan, the portion of the loan raised for the particular country should be kept distinct and added to the Debt of that country. It was also declared to be in the power of Parliament to declare that the whole of the Debts of the two countries should be amalgamated. What happened? At the time the Union was made England was about to plunge into a very serious and expensive war. The Union was not brought about with that particular view, but the war broke out and it subjected this country to a large expenditure. Well, up to that time there had been two Exchequers. The Irish Exchequer had been replenished by the taxation of Ireland, and the English Exchequer had been replenished by the taxation of England, and a common fund was to be provided in fixed proportions by the two countries. The English portion was provided partly by loans and partly by heavy taxation, particularly by the Income Tax. In point of fact, the Irish Exchequer was not replenished in the same way, and the Irish proportion was raised by an addition to the separate Debt of Ireland.

MR. MITCHELL HENRY begged to assure the right hon. Gentleman that Irish taxation was increased just as much as English taxation.

THE CHANCELLOR OF THE EXCHEQUER said, this matter had been gone into fully by General Dunne's Committee, and if the hon. Gentleman would take the trouble to refer to the Report of that Committee, he would observe what the expenditure was, and he would see that Ireland did not by any means raise the whole amount of her expenditure by taxation, but by a system of borrowing, and the consequence was that Ireland had to bear a charge for interest which, at compound interest, involved Ireland in a very heavy liability. The Debt of Ireland, which at first bore a small proportion to that of England, had, in this way, run up by the year 1816 or 1817 to the proportion of two to 12 instead of two to 15; and consequently the Parliament of that day found that Ireland was being crushed by the amount of her Debt. Now, he did not defend the arrangement which was made at the time of the Union. He owned that he thought it was not a fair one for Ireland; but it was one which would no doubt have ultimately crushed Ireland by reason of the large amount of Debt imposed upon her. The Parliament, therefore, of 1816 and 1817, recognizing this fact, inquired into the subject, and they agreed to do that which had been contemplated at the time the monetary arrangements were made at the time of the Union, and amalgamate the Exchequers and Debt, and a certain portion of Ireland's Debt was there and then paid off. That was, in his opinion, a perfectly wise and equitable arrangement, and England did well to adopt it. What was the state of things from that time forward? There was no longer a sepa-

rate system of taxation for the two countries. It became necessary that we should tax the whole country; but the taxes were not equally laid; they were laid with great discrimination in favour of Ireland; many were imposed in England from which Ireland was exempt; though, from time to time, as the two countries became more equal, these discriminations had been done away with, and taxes peculiar to England had been either repealed or extended to Ireland, and the lower taxes imposed at first on Irish manufacturers had been equalized with those paid by English manufacturers. Still, there were some, and not inconsiderable, taxes which were borne by England and not by Ireland, and these included the house duty, the railway passenger duty, the land tax, and assessed taxes. As a matter of fact, this was one of the marked differences which had been made between the two countries, and that being so, he could not understand how it was that Gentlemen from Ireland could come forward and make the complaint which the hon. Member for Galway had made that evening. The hon. Member said that Imperial taxation in Ireland was excessive as compared with England. He (the Chancellor of the Exchequer) could never make out how that statement could be justified; for whether they looked at direct taxation, or at taxes on articles of consumption, the taxation, so far as he could see, was the same; and if Irishmen preferred to drink whiskey instead of beer or stout, he could not see that they were ill-used if they had to pay the same amount in taxation as Englishmen had to pay on spirits. Whiskey might be more suited to the climate than beer; but surely the hon. Member would scarcely contend that it was an absolute necessity of life. All he (the Chancellor of the Exchequer) said was that if Irishmen chose to drink whiskey, they contributed to the Revenue according to their own taste and choice, though he did not see why they should not take their alcohol in the form of that porter which was a celebrated production of Ireland, or why they should call upon the Englishman as a beermaker to relieve them of taxation. If the taxation was uniform, there was no ground of complaint in the fact that a larger proportion came from the people of Ireland than from the people of England, even though the people of Ireland might be poorer, just as the people of England, in some parts of England, were poorer than in others. Excluding such sources of revenue as the Post Office and the Telegraphs, he found that the people of Great Britain were taxed £2 a-head, and those of Ireland £1 8*s.*; and he, therefore, could not see the inequality complained of. The bargain made at the time of the Union had been modified for the benefit, not of England, but of Ireland, and he believed the proportion of 15 to two in the Revenue paid by Ireland as compared with that paid by Great Britain, was still maintained. The grants made out of the Imperial Exchequer for Irish local purposes were much larger than the grants for similar purposes to England and Scotland, setting aside that for the Irish Constabulary. The Income Tax, Customs, and Excise Returns, showed that Ireland had advanced in prosperity, perhaps more than England, during the last year or two. In short, Ireland was not being crushed in the way the hon. Gentleman wished to represent her, and she was not being overwhelmed by this great amount of taxation. It was quite true, as stated in the passage he introduced into the Report of General Dunne's Committee, that the same taxation would bear more hardly on a poorer country than on a richer one; but it was also laid down in that Report that the poor of any country suffered more than the rich; and that was a good reason for keeping down taxation and for having regard to the weakest link, in the chain, but it would be unfair and unjust, for the sake of benefiting Ireland, to increase the taxation of the United Kingdom. These arguments had been presented on former occasions and accepted by the House; but the hon. Member, like the man with an *idée fixè*, who would persist in believing that his friend wore a white hat in winter, still returned to the charge, and, in spite of all that was said to the contrary, would affirm that Ireland was overtaxed. They proved to the hon. Gentleman that Ireland was not overtaxed; that the arrangements at the Union, which, if maintained, would have crushed Ireland, had been changed for the benefit of Ireland; they proved to him that the taxation of the two countries had since been uniform, and they proved to him that if his

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remedy were adopted they would injure both the Irish taxpayer and the poorer British taxpayer also; but all this was in vain, they knew very well that next year the hon. Gentleman would again come forward with precisely the same proposition.

SIR JOSEPH M'KENNA said, he would mention a few matters of fact about which there could be no question. Referring to alcoholic liquors, the tax on spirits consumed in England was lower than that on spirits consumed in Ireland. Between 1841 and the present time the tax on alcoholic drinks consumed in England had been largely reduced; while, during the same period, it had been immensely increased in Ireland, there being an increase in spirits alone of £2,500,000 a-year. The taxation per head of Great Britain was, no doubt, considerably greater than that of Ireland; but no argument could be drawn from that in favour of England, if he proved that the taxation per head on the people of Ireland had enormously increased during that period and had decreased in England within the same period. Taxation in Ireland, during the last 30 years, had been enormously increased per head, while in England it had been largely decreased. In 1841 the taxation per head in Ireland was 10*s.* 1*d.*; in 1871 it was £1 4*s.* 6*d.*; while in England in 1841 the taxation per head was £2 4*s.*, and in 1871 it was only £2 1*s.* After the Famine in Ireland the taxation in that country was raised from £4,000,000 to £7,000,000, while the population had been reduced 2,500,000 within the last 30 years, which he attributed to the conduct of those who generally occupied the front Opposition bench in that House, but which, at that particular time, was empty. It was monstrous to suppose that separating at first the Exchequer of Ireland from that of England, and afterwards consolidating them, had done any good for Ireland. The Exchequer of Ireland was kept separate until Ireland was swamped by reaching a public Debt in the same proportion as a country that was better able to bear it; and when it was brought up to a figure that appeared to justify the act the two Exchequers were consolidated, and the same taxes were laid on both countries, though, he admitted, not altogether at once. The duty on claret had been reduced from 5*s.* to 1*s.* 2*d.* per gallon, while the duty on spirits had been increased from 2*s.* 10*d.* to 10*s.* 1*d.* per gallon. The fact was that Englishmen paid 4*s.* per gallon on port and sherry, whilst Irishmen had to pay 10*s.* per gallon on whiskey used for the purpose of making grog up to the same strength as the Englishmen's wine. It was said that the climatic condition of a country had a great deal to do with the kind of liquor consumed, and it did not suit the people of Ireland and Scotland to take their stimulants in the same form that suited the English, but he could not understand why the two counties should not be taxed in the same proportion. He thought the hon. Member for Galway, in saying that one of the remedies he would seek for would be a greater expenditure upon public works in Ireland, scarcely meant so much as had been attributed to him by the right hon. Baronet. He thought he merely meant that it would be the means of levelling up the disparity which he did not wish to level down by cheapening alcoholic liquors. For his own part, he thought that a remedy might be found in giving any surplus obtained by this unequal taxation in aid of local taxation in Ireland. The right hon. Baronet had referred to the fact that there were certain portions of the community in this country who suffered quite as much as Ireland from inability to pay taxes. He was asserting a proposition which nobody ever attempted to refute. To say that in some parts of England, and in some parts of the North of Scotland the people were as badly off as in Ireland, was no answer to the question. The poor they would always have with them. What they had to do was to raise the standard of the prosperity of the communities as a whole. Let the Chancellor of the Exchequer consider this fact as the net result of the taxation system. If they had added together all the valuations of property in England, as set forth in the various Schedules under the Income Tax Act and in other ways, and which perhaps amounted to between £400,000,000 and £500,000,000, it would be found that the Imperial taxation of Great Britain was 2*s.* 6½*d.* in the pound. The Chancellor of the Exchequer had an honest and candid mind, but the bench upon which he sat was not favourable to that quality of mind in its highest degree; and it was his duty to answer their

indictment both for the past and present state of things as best he could, but the right hon. Gentleman must see the the injustice of it when he knew that if all the valuations of property in Ireland were added together the Imperial taxation was no less than 5*s.* 3*d.* in the pound. He granted that Ireland was exempted from the railway passenger duty and from the assessed taxes; but if those imposts were added to the present burden of the Irish taxpayers they would only increase that burden to about 5*s.* 3½*d.* in the pound, instead of 5*s.* 3*d.*, so that the advantage of those existing exemptions to Ireland was represented by a very small sum indeed. In conclusion, he did not rest the case on the history of the remote past, but on what had been done within the last 30 years, and the net result of that was that the taxation per head had been proportionately lessened in Great Britain and enormously increased in Ireland.

MR. BUTT rose to say a few words before the discussion closed, but felt that he spoke under a disadvantage, seeing that the front Opposition bench was then empty. He regretted that circumstance the more because the usual occupants of that bench were in power when the taxation of Ireland was increased; and if the Leaders of the Liberal Party in that House wished to conciliate the people of that country they would hardly attain their end by being "conspicuous by their absence" from a debate at which it was their duty to be present. The first Resolution before the House affirmed—

"That the burden of Imperial Taxation imposed on Ireland is excessive, and out of proportion to her financial ability to bear it as compared with England."

That was a simple matter of fact, and quite independent of any deduction which might be sought to be drawn from it. Whether they ought to reduce the Irish spirit duties, or to expend more money for Imperial purposes in Ireland, or to give relief to local rates in that country, was a question which was not involved in that Resolution. It was idle to assert that they treated England and Ireland as one country in financial matters, because they assumed that had two distinct countries to deal with when they exempted Ireland from the assessed taxes. It was the greatest fallacy to say, as the right hon. Member for the University of London (Mr. Lowe) held, that as long as they had a system of individual taxation, no injustice was done to Ireland. But suppose they taxed everybody who went to mass, would not that be an injustice to Ireland, even although the Chancellor of the Exchequer might say that people went to mass of their own choice, and that the tax was levied in both countries? If they selected any tax which fell heavier on the people of Ireland than on the people of England they undoubtedly placed a greater burden on the one country than on the other. They were now levying from Ireland about £8,000,000 out of the £70,000,000, which was about the total sum raised in the shape of Imperial taxation. How could that be said to be the fair proportion which Ireland should pay relatively to her ability to contribute as compared with England? Take the case of the income tax, for example. According to the relative abilities of the two countries, we ought to levy between £4,500,000 and £5,000,000 in Ireland; whereas, in fact, we were levying no less than £8,000,000. Ireland paid 3*s.* 2*d.* out of every pound of her income, while Great Britain paid only 1*s.* 8*d.* These were facts, and they were not contradicted by the Chancellor of the Exchequer. When the Exchequers were consolidated the very first step taken by the United Parliament was to relieve Ireland from a great portion of the burden of taxation by which she had been endeavouring to meet the two-seventeenths of the total Revenue. From 1817 to 1842 Ireland contributed less than two-seventeenths. In 1853 the income tax was extended to Ireland. He had a strong impression than an income tax took far more from a poor country than it did from a rich country in proportion to its income. With regard to the duty on spirits, which had, he thought, been raised gradually from 2*s.* 6*d.* to 10*s.*, it fell particularly heavily on the Irish people. If it was asked why they drank whiskey, he would reply that it was because they chose to do it, and because it was their habit. It was necessary to take the habits of a people into account in taxing them, and was wrong to force their habits by means of taxation. The facts by which the Resolution was supported were clear and undeniable, and although it might have been an intelligible course in opposing it to move the

Sir Joseph M'Kenna

Previous Question, he altogether failed to perceive on what grounds an absolute negative to it could be given.

MR. ANDERSON said, there was one argument underlying all the speeches of the hon. Gentlemen who had addressed the House—namely, that the duty paid on spirits in Ireland as against the duty payable on spirits in England was excessive. That was a perfectly sound argument. There was no doubt that the duty paid on alcohol in Ireland was a much larger tax per gallon than that paid per gallon on the alcohol consumed in England, and it was most inequitable that the English should have their alcohol at a lower tax, merely because they took it in the form of beer; and if the Mover of the Resolution had confined it to that point, and had asked simply for an equalization of the duty on spirits, he should have been ready to support him. He considered that a real and grave injustice. But on that point, which was a just though a narrow one, they were asked to assent to a much larger proposition, for which he could not vote. In 1872 a Return was laid before the House which showed that the state of things was in reality very different from that which the hon. Gentleman had represented it to be. In that year the revenue from England was £47,500,000, from Scotland £7,250,000, and from Ireland only £6,000,000; and at the same time the expenditure on the Civil Service Estimates and from the Consolidated Fund, as far as special to each country, was £3,700,000 in England, £598,000 in Scotland, and £2,400,000 in Ireland. He thought that showed that while the revenue from Ireland, particularly as compared with Scotland, was unduly small, the expenditure on Ireland as compared with Scotland was unduly large. Under these circumstances, he could not support the Resolution as it stood; but if it were confined to the equalization of the duty on spirits he would have supported it.

CAPTAIN NOLAN would go further than the hon. Gentleman who had just spoken. He believed there were £4,000,000 spent in Ireland. This included £2,000,000 on the Civil Service, £1,000,000 on the Army, £500,000 on the Navy, including the coastguard. As the taxation of Ireland was over £8,000,000, this showed that there was an annual drain out of Ireland into England of between £3,500,000 and £4,000,000. This was their great grievance. The Civil Service Estimates were not too large in the gross, but they were badly distributed. Too little was spent on education, and too much on law establishments, the expenditure on which was in a great measure a bribe held out to certain classes. They spent very little money on the Army in Ireland, all the manufacturing establishments, both for the Army and Navy, being in England. If they were governed by purely economic principles, as the Chancellor of the Exchequer asserted, the establishment at Enfield would be removed to Sheffield, Woolwich to a coal district, and the dockyards of Portsmouth and Plymouth probably on the Clyde. There was no better place than Cork for a naval station on strategic grounds; but the object of the Government was to concentrate all their naval and military stations near London, and that inflicted a grave financial injustice on Ireland. It was not to get value for their money that these establishments were kept in England, but in order to concentrate them, partly for political reasons, and partly to conciliate electioneering interests which had grown up in certain places.

MR. MITCHELL HENRY, in reply, complained that the Chancellor of the Exchequer had not met his Motion with the only arguments that could be properly adduced against it — namely, figures. As to Ireland being a poor country, as a matter of fact in 1853, the taxation of that country was raised, and raised in the most iniquitous way, by increasing the duty on spirits from 2*s.* 8*d.* per gallon to 10*s.*, spirits being the only article on which they could pay increased taxation. This question was one full of complications, and a vast amount of labour was required to get behind it; but it would recur, and become better understood every year by the Irish people, and he believed they would soon learn the various forms the question assumed, and make it worth while for the Chancellor of the Exchequer to meet their complaints.

Question put.

The House *divided*:—Ayes 34; Noes 152: Majority 118.—(Division List, No. 153.)

COMPANIES ACTS, 1862 AND 1867.

NOMINATION OF SELECT COMMITTEE.

MR. GREGORY moved that the Select Committee do consist of Nineteen Members:—

"Mr. LOWE, Mr. EDWARD STANHOPE, Mr. CHADWICK, Mr. HUBBARD, Sir HENRY JACKSON, Mr. GOLDNEY, Mr. HOPWOOD, Mr. ASHBURY, Mr. RYLANDS, Mr. SAMPSON LLOYD, Mr. KIRKMAN HODGSON, Mr. ISAAC, Mr. SHAW, Mr. KNOWLES, Mr. ALEXANDER BROWN, Mr. ALFRED MARTEN, Mr. Serjeant SHERLOCK, Mr. ORR EWING, and Mr. GREGORY."

MR. ANDERSON objected to the Nineteen Members proposed by the hon. Member as being, as regarded the Bill in question, all of one colour, and made a nomination of his own. He accepted most of the names, but strongly objected to having so many of those Members whose names were on the back of the Bill of this year. To show how unfair was the selection of names, he had only to state that five names that were on the back of that objectionable Bill were being put on this Committee; while not one name was taken from those who had opposed the Bill or tried to amend it. He understood the hon. Member to have said that he would accept the alterations suggested by the list he (Mr. Anderson) had placed on the Paper.

MR. GREGORY replied that all he had said was that rather than have no Committee he would accept that of the hon. Gentleman, but he preferred his own selection.

MR. ANDERSON moved to substitute for Mr. Rylands the name of Mr. M'Lagan, as representing certain Amendments which had been set down anent the Bill.

CAPTAIN NOLAN said, he had no objection to the hon. Member for Linlithgowshire (Mr. M'Lagan), but as the hon. Member for Glasgow was going to strike out the name of the hon. Member for Cork (Mr. Shaw), he should vote for the original list.

Motion *negatived.*

Mr. LOWE, Mr. EDWARD STANHOPE, Mr. CHADWICK, Mr. HUBBARD, Sir HENRY JACKSON, Mr. GOLDNEY, Mr. HOPWOOD, Mr. ASHBURY, Mr. RYLANDS, Mr. SAMPSON LLOYD, Mr. KIRKMAN HODGSON, Mr. ISAAC, and Mr. SHAW nominated Members of the Committee.

MR. ANDERSON moved to insert the name of Mr. Charles Lewis instead of that of Mr. Knowles.

Motion made, and Question put, "That Mr. Knowles be one other Member of the Committee."

The House *divided*:—Ayes 111; Noes 21: Majority 90.—(Div. List, No. 154.)

Mr. ALEXANDER BROWN, Mr. ALFRED MARTEN, Mr. Serjeant SHERLOCK, Mr. ORR EWING, and Mr. GREGORY nominated other Members of the Committee, with power to send for persons, papers, and records; Five to be the quorum.

THE TICHBORNE PROSECUTION—THE DE MORGAN PETITION.

RESOLUTION.

MR. WHALLEY rose to call attention to the Petition of John De Morgan, praying to be heard at the Bar of the House; and to move the following Resolution:—

"That there be laid before this House, a Return of the expenditure in relation to the Tichborne prosecution, specifying separately the sums paid and expended on account thereof, as was done in the case of the Welsh fasting girl, and especially the sums paid to or expended in respect of such persons as were subpœnaed or retained as witnesses on the part of the prosecution but were not called upon to give evidence on the trial, with their names and addresses, and the sums paid to or expended in respect of each person"

when——

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter before One o'clock.

HOUSE OF COMMONS,

Wednesday, 6th June, 1877.

MINUTES.] — SELECT COMMITTEE — Irish Land Act, 1870, Colonel Taylor *added.*

PUBLIC BILLS—*Second Reading*—Women's Disabilities Removal [17], *debate adjourned.*

Third Reading—Quarter Sessions (Boroughs)* [144]; Pier and Harbour Orders Confirmation (No. 3)* [166], and *passed.*

Withdrawn—Banns of Marriage (Scotland)* [31].

QUESTIONS.

RUSSIA AND TURKEY—THE WAR—THE SUEZ CANAL.—QUESTION.

THE MARQUESS OF HARTINGTON: I beg to ask Mr. Chancellor of the Exchequer, Whether he will lay upon the Table a Copy of any Despatch containing the terms of the intimation stated in the Papers, Egypt No. 1, to have been made to the Russian Ambassador, to the effect that an attempt to blockade or otherwise interfere with the Canal or its approaches would be regarded as a menace to India, and as a grave injury to the commerce of the world; and whether, if Her Majesty's Government have received any reply from the Russian Government, he will lay it upon the Table?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I have not had an opportunity of seeing Lord Derby since the noble Lord gave Notice of his Question; but I think I may say that there are no Papers beyond those already published relating to this subject, which it would at the present moment be convenient to lay upon the Table. I may state that the reason why the Papers which were presented yesterday were laid upon the Table was this—We understood that there would be a meeting of the directors of the Suez Canal Company in Paris this week, and we had information that it was probable that a statement would be made at the meeting with regard to what had passed in the communications between M. de Lesseps and Lord Derby, and it was therefore thought desirable that an authentic copy of that despatch should be published, in order that there might be no mistake upon the subject. In regard to the other communications, I cannot at the present moment say that there are any which it would be convenient to produce.

SIR WILLIAM HARCOURT: Sir, in consequence of the answer of the right hon. Gentleman, I beg to give Notice that to-morrow I shall ask him, Whether Her Majesty's Government whilst declaring to the Government of Russia their resolve to resist the exercise of the ordinary belligerent rights which Russia might be entitled to employ against Egypt as a part of the Ottoman Empire, have taken any measures to restrain the Porte and the Government of Egypt to the same extent in respect of the Suez Canal from the exercise of belligerent rights against Russia; and, whether the statement in Lord Derby's Despatch to Mr. Layard of May 16th, "that Her Majesty's Government will expect that the Porte and the Khedive will on their side abstain from impeding the navigation of the Canal," is intended to apply to the free use of the Canal by the public and private ships of Russia for the purposes of "innocent passage" in like manner as to the ships of other States?

ORDERS OF THE DAY.

WOMEN'S DISABILITIES REMOVAL BILL.—[BILL 17.]

(*Mr. Jacob Bright, Sir Robert Anstruther, Mr. Russell Gurney, Mr. Stansfeld.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr Jacob Bright.*)

MR. HANBURY, in rising to move that the Bill be read a second time that day six months, said, that he was aware that in taking that step he might be charged with inconsistency, inasmuch as he had on two occasions supported by his vote measures having similar objects to that embodied in the Bill before the House. The hon. Member for Manchester (Mr. Jacob Bright), moreover, would have the right to ask him how it was that up to the very moment when he gave Notice of his intention to move the rejection of the Bill, he had remained a member of a committee which was formed with the object of extending the franchise to women. He would, in the first place, explain how it was that his name had appeared in the list of that committee. After he had given his vote in 1873 in favour of the Bill which was then introduced, he was asked to join the committee. Since then he had never acted upon that committee, he had received no notice of its meetings, and he had entirely forgotten that he had been connected with it, and, indeed, had not the slightest recollection that it existed.

When a good-natured Member of that House had reminded him of the fact that his name still stood on the committee, he asked him to let him know the exact title and address of the association, in order that he might at once withdraw his name from it; but to his immense astonishment, the hon. Member, who was himself an active member of the committee, was unable to give him either the exact title or the address of the association. He (Mr. Hanbury) hoped that that might be accepted as some explanation of his conduct in reference to this question. It might further be asked how it was that, having supported the principle of the Bill on former occasions, he now took the decided step of moving the rejection of the present measure. His reply was, he thought that if an hon. Member changed his opinion—and he (Mr. Hanbury) had considerably modified his opinion on the question—it would be unworthy on his part if he shrunk from giving his vote in an opposite sense to that which he gave it before, and not giving that vote in silence, but offering a full and clear explanation of the reasons which induced him to take that course. If he had been guilty of any inconsistency in the matter, he had erred in common with a great number of men, and, notably, in common with the right hon. Gentleman the Member for Birmingham (Mr. John Bright). When he (Mr. Hanbury) entered the House in 1873, a young Member, he was much influenced, on the introduction of the Bill, by the fact that some of the most honoured names of Leaders of his own Party had supported the Bill by their vote and their voice, and he was swayed by the belief that to a great extent this movement was "Conservative," and that the women who would receive votes would give them, as a rule, in favour of the Party to which he belonged. He now felt that these were very shifting grounds on which to base a great political measure; and when the family relations were disturbed, when the bases of society upon which their political institutions rested were assailed, it was time to rise above such petty considerations, and both on one side and the other to oppose the Bill. In supporting the principle of the measure he had undoubtedly been led away by a feeling of sentiment; but all feeling of that kind had been destroyed by the course which had been adopted by those ladies who, acting, doubtless, from very high motives, had taken part in an agitation on a subject to which he would not further allude, but which was one which he believed women ought never to touch upon in public. He looked upon their conduct respecting that movement as a foretaste of what the country might expect if women were engaged largely in politics, and particularly what its effects might be in the large towns, where, doubtless, influences would be brought to bear upon them at contested elections in a manner that might operate prejudicially in reference to the interests of the country. He would further say, that when he gave it his support, he had regarded the proposal as intended to be confined entirely to single women; but he now saw that it would confer the franchise upon a class of women which was already too large in our great towns—that of women who were shut out from fathers, husbands, and brothers, and whose influence would be anything but good. He had also formerly thought that the movement was much more extended among woman than was really the case, whereas he now found that it was making no progress whatever among them. With respect to the justice of the proposal, in the first place, he might state that as regarded many of the alleged wrongs of which women complained, it was not for that House, but for society outside to remove them. Some of the advocates of the measure alleged that it would prove a benefit to the poorer classes of women; but he denied that it would, and in support of that view he might refer to a letter written by Mrs. Besant to American papers, describing it as a movement carried on by women in the upper and independent classes, to whom alone the power to vote would be given. When the Bill of last year was before the House, his hon. and learned Friend behind him (Mr. Forsyth) said that he would give the franchise to single woman only; but the opinion of the hon. and learned Member for Taunton (Sir Henry James) was that the Bill would confer it upon married women; and, moreover, the hon. Member for Manchester had told them that he was in favour of extending the suffrage to married women, and he (Mr. Hanbury) saw from a correspon-

dence in the papers that the movement would not end till that extension had been made. For his own part, he could not see how the promoters of the Bill could logically ask that the franchise should be conferred on single women only, inasmuch as that would be offering a premium upon celibacy, and would place under political disabilities those women who, being married, were most entitled to speak on behalf of women, and who were the most worthy representatives of their class. Upon what did the alleged claim of these women rest? Upon the wrongs, or upon the rights of women? Even admitting that women were the intellectual equals of men, he did not admit that their spheres were the same. In the manufacturing districts, where the work was not done at home, but in mills, men and women were brought together, and though there were safeguards and protection, yet hon. Members knew from the Returns made to that House that there had been a great change in the morality of those districts, and which had been most unsatisfactory. Whatever Parliament might do in this matter, it could not prevent there being always two sexes, and it would be dangerous to morals and to society if they were to bring about a system under which the spheres of men and women were to be intermixed. He believed that it was quite possible for hon. Members who had a large circle of acquaintances to say that they took no deep interest in the subject; but that, on the contrary, if they did take an interest in it, it was in opposition to the measure. No doubt Petitions had been presented, and meetings had been held in almost every town in the United Kingdom, but at them they constantly saw the same names, and there could be no doubt that the agitation was being got up by a certain number of ladies who always appeared upon the scene, and, by marching and countermarching across the stage, led the public to suppose that they who were engaged in its favour were more numerous than they really were. He did not believe if the Bill were passed it would remove the real grievance of women. It was said that a woman, if she had a vote, would not be obliged to take any large part in political life; but it would be utterly ridiculous, he thought, to say that a woman was to be content with giving a vote. She must enter into all the political considerations which influenced a man who gave votes. The franchise had been extended to men, who, they admitted, ought to be educated. He believed they had gone far enough, perhaps too far, in that direction. Those men, by leaving their homes and moving among other men, had opportunities, under difficulties, of picking up some knowledge on political affairs; but women, if they were not to leave their homes, but were still to remain, as he hoped they would remain, as ornaments in their homes, would have no chance of picking up that amount of knowledge which would justify their giving a vote upon great and complex questions. If they were not to leave their homes somebody must come to their homes. It was said that women took a deep interest in religion, and one of the great mischiefs in Continental countries was the power exercised over the community by means of priests coming to houses. There was a prejudice against such men in England, and he thanked God they were free of them in this country at present; but, if this measure passed, should we not have a kind of political priesthood insinuating their wily influence into the homes of the women of England? He would appeal from theory to practice. There was another consideration—in giving the vote to a woman, who might not desire it, they would give a dual power to the husband, who in influencing her, would exercise, in a manner, a double vote. Hon. Members who knew anything of America, were aware that the one thing which marked the social life of America was the almost complete subordination of the wife to the husband. He believed there was no country in the world in which this question of woman's suffrage was more scouted than in America at the present day. Then, again, there were duties to be performed to the State. No doubt, we might pride ourselves on an age of reason, but we must remember that the foundation of our society was power, force, and strength. More and more power and force were coming into the front. On the Continent we saw on all sides armed force, and in this country we might have to replace our present system of recruiting for the Army by something much more like conscription than that which at present existed; but

it was quite certain that women could not contribute to the performance of that duty to the State. Property was not, he believed, represented as much as was supposed. A man of large property had great influence; but he (Mr. Hanbury) denied that his property gave him all his influence, and that sort of influence was largely exercised by women of the present day. Representation in the present day was based, not upon property or upon taxation, but upon family; and he contended that it was the family which of all things would suffer if they extended the vote in the direction proposed by his hon. Friend. It was argued that because women might vote at municipal and school-board elections, they ought to have extended to them the political franchise. He had said there was every reason why women should have a vote at school-board elections. In questions like that they took great interest. But he denied that they took the same interest in municipal elections. That question was not much more complex, but it did not come home to them so nearly as the school-board question, and therefore they took less interest in it. When he considered that we had interests all over the world, and that the influence of foreign countries was an influence directed by men, he felt it would be most mischievous for this country to allow hysterical politicians, who, he believed, had too great influence already on our foreign policy, to have any further influence upon it. He believed that such an influence as sentimental politicians endeavoured last Autumn to exercise upon our foreign policy would be for this country a very dangerous influence indeed. How was it that such a claim as this was put forward? It was based upon the idea that the two sexes had adverse interests—that women had grievances, and that men did not interest themselves in getting them removed. That he utterly denied, as it was the fact that many advantages had been conceded to them in recent years. The mere fact that this question was discussed calmly in that House was sufficient to show that the interest which men took in women and in their rights was a very keen and a very strong interest. Women had husbands, fathers, and brothers to represent them in that House and in the country; and it seemed to him a monstrous assertion to rest this claim upon adverse interests of the two sexes. In a great number of ways rights were denied to women. They had been shut out of Professions which he for one would be glad to see them enter. Many a walk in life had been denied to them, with immense disadvantage to themselves and to ourselves. But in any grievance they had suffered, they had large numbers of fellow-sufferers in our own sex. Those grievances, which were remnants partly of the feudal system, did not press upon women merely, but almost upon nine-tenths of society. Those grievances, however, had been, and were being gradually removed, and many employments were being found for women. There was only one case in which he found a grievance of a specific kind which would be removed by the passing of the Bill, and that was the grievance of women who were farmers, and who it was said would lose their farms, because they could not give a vote. It appeared that there were nearly 25,000 women who were farmers—["No!"]—farmers and graziers, and, if that was the case, the grievance did not affect many. But after all, we come to the question, Were these women to have rights or privileges? No one would deny that at this moment they had immense privileges; and that their influence extended through every department of life. They apparently counted for nothing in political institutions; but he believed they were the life and soul of our social system. All the poetry and chivalry of life was on their side of the question. That poetry and chivalry surrounded them with strong barriers of protection, all the stronger, because they were unfelt and unseen. They could not have both privileges and rights. They must have either privileges, or rights. He denied their right to have both. Privileges were given to women and rights were given to men. Men were not gallant enough to give up their share, and if you tried to upset that arrangement you would bring on a quarrel between the two sexes, in which the weaker must go to the wall. Therefore, it was in the interest of women themselves, and in the interest of the nation, which had not only to consider its own interests, but the interests of other nations, that he opposed the Bill; and he hoped that that House, which was composed of a

body of practical men, prepared to do justice to women in every way that was possible without upsetting what many believed to be the very basis of society, would emphatically reject this most pernicious measure.

MR. W. C. CARTWRIGHT, in seconding the Amendment, said: Sir, I should have been perfectly content to record my vote silently, as on the previous eight occasions, against this Bill, had it not been that I wish, in rejoinder to misrepresentations as to my opinions, to state the motives that make me vote as I do. It is freely said that those who oppose this Bill are hostile to improvement in the social condition of women. I wish for myself emphatically to deny the charge. Last year the hon. and learned Member for Marylebone (Mr. Forsyth) was satirical in his remarks about an association of Members in the House formed for refusing to women their rights. I beg to say that I never have connected myself in any way whatsoever with any association having for its object to oppose the movement in favour of this Bill. As a matter of fact, I never have taken part in any demonstration of opinion, other than my vote, with one exception, and that was to sign a Petition against what I consider a retrograde and very objectionable move recently attempted to undo the resolution of the University of London to admit women to medical degrees. I consider that a move to deprive women of a legitimized opening for the assertion of their natural faculties, and as such I deprecate the move. I am perfectly willing to leave the discussion and the issue of the matter in their claim to the franchise to common sense, without the intervention of anything like an artificial organization. The question is a serious one, and should be treated seriously. I am glad that the tone of debate has come to be serious. The matter has to be disposed of on its merits alone, and not a side issue. In my opinion the agitation proceeds from a number of very earnest and very active women, but not from the body of the women of England, as it is often affirmed. I think this is one of the many misrepresentations put into circulation. The agitation, as set on foot by these energetic ladies, seems to me positively mischievous, as calculated to promote in no way real amelioration in the condition of women. I maintain that its practical effect has been in many instances to divert, in pursuit of a phantom, the energies that might have been usefully directed for the attainment of their benefit. Can any hon. Member deny the fact that amongst the women who have done most for the education of their sex, there are many who have steadily stood aloof from this movement for the franchise? Girton College, an institution founded by the active energy of several reforming ladies, is calculated to do great service to the higher education of the women of England. ["Hear, hear!"] I hear the hon. Member for Manchester (Mr. Jacob Bright) say "Hear, hear;" but amongst the most active of the promoters of that College are ladies wholly indifferent to this movement. I was very much pleased to hear the character of the discussion on both sides of the House. This matter has been earnestly fought, and it has been most carefully advocated by many hon. Members of Parliament. I wish to state in a very few words what are my cardinal objections to this measure. I shall consider but a few of its capital defects. It is necessary to examine this Bill carefully, and to see what it actually involves and what it may involve. I submit that this is a specious Bill and a disingenuous Bill, because it means more, and must imply more, than actually appears on the face of the Bill. Whatever its advocates may choose to allege, whatever they may choose to say now that they are fighting this Bill before the House, I say it is perfectly impossible to resist the enfranchisement of all women, whether single or married, once this Bill is passed. I do not hold that in questions of politics the principles of logic are to be absolute guides. Political questions are not mathematical problems, but if this Bill is carried as it stands, nothing will be able to resist that force of logic which will drive the Legislature to admit that the franchise must be conceded to married women. There is no possibility of arguing against the admission of married women once you admit the plea which is alleged in support of the claim of unmarried women, for so to argue would be to deny that in the sum total of society married women contribute as much to the moral worth of society as single women. I have given my best attention to the pleas that have been urged in support

of this claim. There is, I think, an inconsistency in the ground adduced for this claim. I have heard it urged publicly that this measure, which is to redress the imperfections of our social system, will only add 13 per cent to the electoral roll. Either your figures are fictitious, or this Bill must have much greater consequences than should be anticipated from such data. I say that this Bill carries its own proof that the pleas upon which it is recommended are shifting pleas, which are used according to expediency. These are not the only points connected with the Bill which I think deserve serious attention. I think there are points in this Bill which ought to make even those in favour of its principle hesitate before they accept it. I observe in the papers to-day that there was an influential deputation to the Chancellor of the Exchequer yesterday, who is himself in favour of the principle of the Bill. Now, according to the reports, attention was drawn by him to a point to which the hon. Member for Tamworth has alluded. That point is the lodger franchise. Now, I am particularly anxious to avoid any word liable to the charge of an invidious imputation, but when you reflect what the lodger franchise imports, and when you consider what the additions to the electoral roll must be if the lodger franchise were extended to women, there will be some cause for hesitation before voting, for the Bill must include all the class of women who come within the category of female lodgers. It is enough for me to have referred to this matter for hon. Members to understand the substance of my objection on this head. I say, however, that there is one other objection, which in my mind lies at the very root of the whole question brought before us. I think this Bill is based upon a most objectionable principle — namely, the principle that there is some antagonism between the sexes. Now, Sir, it is impossible, however speciously you may argue, however speciously some advocates may controvert it, I say it is impossible to explain away this basis of antagonism which lies at the root of the whole controversy. This is a Bill which seeks by an artificial enactment to do away with a division of labour, which division of labour exists in virtue of a higher law than any man can make, the law of instinct and the law of nature. You may try to mingle and confuse the spheres of activity of the two sexes, but the result will be a society peopled by beings really of a hybrid nature. Woman's part can never be usurped in the world without man denying himself; woman cannot turn to those spheres peculiar to man without losing that place and charm from which she derives her real and genuine influence.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Hanbury.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. FORSYTH said, that he had come early to the House, as he was desirous to hear the reasons why the hon. Member for Tamworth (Mr. Hanbury) had been so suddenly converted. His hon. Friend was not an old man; he had certainly come to years of discretion; he had been in Parliament before; he had had this question before him for many years, and he had told the House that he had voted for it on every occasion till now. And he had been a Member of a Committee for promoting the object of the Bill. There was not a single argument which the hon. Member adduced to-day which ought not, if true, to have convinced him seven or eight years ago. Every one of the objections urged by his hon. Friend applied equally 10 years ago as now. His hon. Friend said there was no sign of progress and no increase in the number of Petitions. [Mr. HANBURY: "No!"] How were they to mark progress in public opinion with regard to particular questions? If they had regard to increase in the number of meetings and of speakers and of the attendants at meetings in town and country, then he (Mr. Forsyth) said no question that had been before Parliament for many years had made so much progress in public opinion as this question of women's suffrage. You could hardly mention a town in England, or Wales, or Scotland, or Ireland where there had not been held crowded public meetings of persons unanimous in favour of this Bill. He should like to know how many meetings his hon. Friend could mention as having been held against it. He did not believe he could find that there had been three in the

United Kingdom. The hon. Member for Tamworth had said that this was a Bill which must necessarily and logically give the franchise ultimately to married women; and, indeed, resting on the opinion of the hon. and learned Member for Taunton, he went so far as to assert that that Bill itself would give the vote to a married woman. Now, as a lawyer himself, he maintained that it would not. A married woman did not pay rates; but they were paid by her husband. Then the hon. Gentleman had founded an argument against the Bill on the probability of the Ballot law being repealed; but he ventured to think that nobody in the House dreamed of repealing the Ballot Act except that hon. Member himself. Next, it was urged that they should look to the Continent, where the Roman Catholic priests had so much influence, and they were told that political priests in this country would creep into people's houses, leading captive the minds of silly women. But did not women read newspapers as well as men, and did they also not obtain their information on political subjects from conversation and discussion? Then it was said there was looming over Europe the power of force, and that as woman could not contribute to that power, she should not have the vote. But would it not be well to have a gentler influence brought to bear on politics, which would not be arrayed on the side of brute force? Last year the hon. Member for Mid-Lincolnshire (Mr. Chaplin), with a touch of epigrammatic smartness, said that the Bill was supported by two classes of persons —feminine men and masculine women. ["Hear!"] Well, the present Prime Minister had always voted and sometimes spoken in favour of that Bill. Was Lord Beaconsfield "a feminine man?" The Chancellor of the Exchequer had spoken in Devonshire in favour of the Bill; and the First Lord of the Admiralty, again, had also supported it. He wondered who would call the First Lord of the Admiralty "a feminine man." Then as to masculine women, who, that had read the biography of the late Mrs. Somerville—a supporter of that Bill—would say that she was a masculine woman? He could not conceive a character more full of feminine tenderness than that of Mrs. Somerville. He might ask the same question in regard to Miss Florence Nightingale and other ladies; but he did not think it right to bring their names into the debate. The sole ground on which many hon. Members rested their opposition to the Bill was, that to give the vote to women would to a certain extent make them unfeminine. That was a sentiment and nothing more. Many hon. Members had admitted to him that that argument was entirely in favour of the Bill; but still they said they did not like the measure, and would vote against it. Well, he confessed that if he believed in his conscience that the effect of giving the franchise to women would be to make them more masculine, to render them less tender, less gentle, and less attractive than they were, whatever he might think of the logic of the matter, he should not be prepared to pay so great a price for the measure. The Bill merely gave an intelligent woman the right of saying she preferred that A instead of B should represent her in Parliament, and it would not admit her sex to sit in that House. In one sense he acknowledged that political agitation was not the sphere for women. He would rather not see women mounting the platform and speaking in public. But observe the cruel dilemma in which women were placed. If the few gifted with the power of eloquence and of argument did not come forward and advocate the rights of their sex, then it was said that women did not want the franchise—that not one of them had spoken in its favour. On the other hand, if they did come forward, they were told that they were out of their sphere and becoming political agitators. If the boon they now asked for were granted them, they would cease their agitation.

> "Defluit saxis agitatus humor,
> Et minax, quod sic volucre, ponto
> Unda recumbit."

Those who opposed the Bill were responsible for taking woman out of her sphere of retiring modesty, and making her come forward in public to claim her rights. Women now had votes at municipal elections, and the hon. Member for Tamworth admitted that even in sitting at the school board they were in their proper sphere; but the questions at issue in those cases were, for the most part, of the same character, only on a smaller scale, as those involved in Parliamentary elections and discussions. He would illustrate the injustice of the pre-

sent system by taking the case of two towns. In Bristol, one-quarter of the houses occupied by ratepayers and taxpayers were occupied by women, many of them living in the best part of the city, and yet not one of these women had a voice in choosing a Member for Bristol. Then, at Bath, the great proportion of the occupiers of the houses in its splendid streets and terraces were not enfranchised, because they were women, many of them spinsters, and all of them heavily rated and taxed. Again, in England, one-seventh part of the whole of the land held by owners of more than one acre was held by women, not one of whom was entitled to vote. He denied that that Bill, as asserted last year by his right hon. Friend the Member for Birmingham (Mr. John Bright), was based on an assumed hostility between the sexes; but what its advocates said, was that there were certain questions which women had a peculiar right to have an opinion upon, and on which they ought to be heard, because they had, as to some of them, perhaps a more pressing interest than men themselves had. After answering the allegations of the same right hon. Gentleman as to the special privileges now enjoyed by women, and particularly as to the exemption of women servants from taxation, the benefit of which he said went to the employers, the hon. and learned Member referred to a debate of an instructive character which occurred the other day in the Italian Parliament. Hitherto, in Italy, no woman was legally competent to witness to a public deed. That would seem to us monstrous; and a Bill was lately brought into the Italian Parliament to repeal that law. But against its repeal, strange to say, this objection was raised—"You must not distract woman from her family mission." That was precisely the same argument as was now used against giving a vote to women. The Bill enabling women to witness to public deeds had, however, been passed by the Italian Parliament, and he trusted that before long the British Legislature would pass a law enabling women to vote for Members of that House. But it was said this would be a premium on celibacy, because if a woman married, she would lose her vote. The inference drawn from that, he supposed, was that she would refuse to marry in order to keep her vote. He would like to see the woman who, having to choose between matrimony and a vote, preferred the latter. Then, as to the "thin-end-of-the-wedge" argument, he would quote to the House a passage from the last work of our great novelist, George Elliot, *Daniel Deronda*, which was as follows:—

"I think that way of arguing against a course, because it may be ridden down to an absurdity, would soon bring life to a standstill," said Deronda. "It is not the logic of human action, but of a roasting-jack that must go on to the last turn when it has once been wound up. We can do nothing safely without some judgment as to where we are to stop."

Surely if unreasonable demands were afterwards made, the House could refuse them. With regard to the lodger franchise, he admitted that its application to women might let in some objectionable persons, though he thought their number would practically be found very insignificant. Speaking for himself individually, rather than lose the Bill he would consent to a Proviso, if the House thought fit to introduce one—to the effect that the lodger franchise should not extend to women. He did not want to see a stigma put upon the many on account of the bad character of a few; but, considering the difficulty felt on that point by others more strongly than himself, he was willing to accept the Proviso to which he had referred. He did not, indeed, expect that Bill to pass in the present Parliament, and having himself twice brought it forward and tested the opinion of the House on the subject, in his judgment it would have been better to have deferred the measure until they had a new Parliament, when the result, he believed, would be very different. However, his hon. Friend the Member for Manchester (Mr. Jacob Bright), having re-introduced the Bill, he gave it his hearty support, feeling sure that when it became law, as it eventually would do, men who now spoke against it would be heard saying they were surprised and ashamed at their former opposition to it, and would laugh at what were now their imaginary fears.

THE O'DONOGHUE: Sir, I agree in almost everything that was said by the hon. Member for Tamworth (Mr. Hanbury), except when he made what I may call an Exeter Hall peroration, in which he expressed what I consider the utterly

groundless suspicion entertained by many persons in this country with respect to the conduct of Roman Catholic priests on the Continent. The statement, almost at the commencement of his speech, by the hon. and learned Gentleman who has just sat down (Mr. Forsyth) took me by surprise. He affirmed with great emphasis that there was no town in the United Kingdom in which a great meeting had not been held in favour of this Bill. I have the honour of representing the borough of Tralee, and I am not aware of any meeting in favour of this Bill there, or, indeed, in any town in the neighbourhood, or in the Province of Munster. The hon. and learned Gentleman put forward as one of his most substantial reasons why the Bill should be accepted by the House, that really all that would be done would be to enable ladies to make a selection between two or more individuals, and that they would have nothing more to do than to apply certain principles. I am anxious to say two or three words upon a question which has been before the House and the country for many years, but upon which I have never ventured before to express an opinion. I was at first favourably disposed towards the movement, of which the Bill is the first-born, owing to my great respect for the late Mr. John Stuart Mill, for the hon. Member for Hackney (Mr. Fawcett), for the hon. Member for Manchester (Mr. Jacob Bright), and for many others who had thrown themselves into this movement with a restless ardour and activity, which, to me, is irreconcilable with the fact that they are all men of undoubted sanity, and of vast intelligence. But notwithstanding my utmost efforts to conform to the views on this subject of so many of my Friends, I have never been able to bring myself to regard this movement about the rights of women in a serious light, or indeed as anything else than an attempt to subvert the natural order of the world by investing women with prerogatives and imposing upon them duties that belong exclusively to men, simply from the fact that they are men. That this attempt should be made by philosophers and other great and wise men is what gives to the question, at least to my mind, its comical aspect. It is only, in the main, persons with very callous hearts, indeed, that can see anything amusing in the vagaries or antics of those who have been so unfortunate as to have lost their wits, or who have never been fortunate enough to have any; but there is something irresistibly droll in the spectacle of a man who is known to possess what are called "brains" acting in a way as if he were really a simpleton. Without meaning anything disrespectful, I may say that the movement, of which this Bill is the offspring, has always appeared to me the merest political juggle, and an intimation that those who have given themselves up to it are sadly in want of occupation. If, as has been stated, it had received any appreciable support from the people of England, I would come to the conclusion, from the earnestness with which they have taken up the matter, that all questions affecting the happiness of the nation—which alone deserve to be called political questions—have been settled; and that, upon the principle that it is always necessary to be doing something, we are about to enter on a period of meddling legislation. I would anticipate, therefore, should the measure pass, the introduction of Bills prescribing how we are to cook our food; how to bring up our children; how, in certain circumstances we are even to blow our noses, and how we are to perform other operations which are essential in our most civilized communities. The passing of Bills in this House depends on various grounds. Of some, it is said they are premature, inopportune; that they are before the time, or that they are reactionary. Of others, it is said that their principle is vicious, Communistic, or revolutionary. This Bill is the only one I have ever known to be introduced which must be resisted on the ground that the principle on which it is founded is simply ridiculous. The project we are solemnly invited to consider is nothing short of a proposal to get rid by Act of Parliament of the division which Providence has made of the human race into men and women, with functions to each which do not enter into the domain of the other. But notwithstanding my opinion as to the unpractical character of the measure, I should be sorry to have it supposed I am insensible to the claims on our devotion of those of whom the hon. Member for Manchester is the chosen champion, or that I am disposed to treat them with severity. If they have any political

grievances, I am not aware of them; but if they are pointed out, I should be happy to unite, not merely with the hon. Member for Manchester, but, I may say, with the whole House, in redressing those grievances. But I do not think there is any ground for saying that the legislation of this country has dealt unfairly with women. But there is one charge brought against those opposed to this movement from which I am anxious to free myself. It is frequently said we ascribe to women a certain moral and intellectual inferiority which renders them unfit for the proper discharge of political duties. For myself, I believe women, speaking generally, in a moral sense, to be infinitely our superiors, owing to their self-imposed submission to certain restrictions which the lords of the creation think they may dispense with. Intellectually, I believe, they are quite our equals. If they have not done as much for art, science, and literature as men, it is because there are physical obstacles in the way, on which I need not dilate, which prevent them from doing as much. But it comes within my own experience that I have met women whose powers of acquiring knowledge, whose originality, thought—whose genius, in short, exceeded that of any men I ever met. I would venture to say to my hon. Friend the Member for Manchester, notwithstanding the propheoy of the hon. and learned Member for Marylebone, that he never will succeed in establishing political equality or anything else like it between men and women. I would also venture to suggest to him that he should direct his efforts, and confine his enthusiasm and those of others who like him are under some special fascination, to winning complete social equality for the ladies. It is unfortunately true that the women do not enjoy complete social equality. We may say, I think without undue self-glorification, that the courtesy of men naturally has already done great things for them. We have given them a prescriptive title to the best places at lectures, reviews, and suppers; but an antiquated custom has conferred upon man a privilege to which I defy the most astute casuist to show he has any exclusive right. The hon. Member for Manchester is fortunately in such a position that he may agitate for the removal of this privilege without exposing himself to the suspicion of interested motives, and I can join him in such agitation with an equal claim for disinterestedness, for, unlike the majority, neither of us is in a position in which we are able to dispose of ourselves. I would ask him, if he sees any reason why a man should reserve to himself the sole right of putting the question upon which the happiness of a common future largely depends? I would ask him why women should not also be permitted to do what is popularly called "popping the question?" Why should she wait to be asked? The conventional restraint which prevents her from doing this, which compels her to wait to be asked, and to endure a suspense which, no doubt, is often most painful, is the only disability under which, so far as I know, women at present labour. Whether, in order to remove that disability, it is necessary to introduce a Bill for the purpose—whether it would be necessary to agitate for it, to hold public meetings, to form a great league, to produce pamphlets, and to issue circulars in order to prepare the youth of the United Kingdom for what certainly would be a novelty, I will not undertake to say; but in any case, whatever may be necessary to this extent at all events, I am prepared to give my hon. Friend my most ardent support.

MR. HOPWOOD: Mr. Speaker, I have had the honour of being a supporter of this movement for a number of years, and I have been in this House some years, but I have never before joined in the discussion. It has not been from any lack of zeal; but I have been content to see better men taking part in the discussion of the principles of the measure, and in the advocacy of its reception by this House. I have determined to say a word or two, because last night, yesterday, and to-day I learned that there was forming a combined movement against this—one of the most interesting questions of the day. With all respect to those who are now recanting their opinions on the other side of the House, I will assume that the ship is in danger, and that some are leaving it. Therefore, it becomes a duty to thrust myself on the notice of the House. I cannot plead that I have anything new to bring to the discussion, but I can plead that I bring an earnest belief in the ultimate success of the measure. And I am not daunted by such speeches as we have

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heard from my hon. Friend the Member for Tralee (the O'Donoghue), because even in the midst of that speech, given with his accustomed readiness of diction, and with a great deal of his accustomed point and antitheais, there was something accompanying it both in the speech and in the reception of it by this House that gave comfort for the future. I shall try to deal with that speech in one or two particulars. I am glad in some respects that the speech was delivered, although my hon. Friend will forgive me for saying that it verged closely upon a coarser exhibition than I should have thought him capable of, and it belonged to an old stage of this movement, for a very small number of hon. Members answered to it, and the number who danced to the hon. Member's piping were those from whom we should expect very strong prejudice in arguing the question. I am fond of a good joke myself, but I confess I could not compose my face to laughter at such well-known trifles and old jokes about "popping the question." This is an agitation which, however diverse may be the views held upon it, will not receive its quietus to-day, and it is not by suggestions that we may look to have Bills on cooking, the whipping of children, and what not, that it will be laughed away. The hon. Member might be reminded, by-the-way, that a large number of women have been extremely opposed to whipping at all, and he might have quoted that as a reason why women are likely to exercise a useful influence upon the Legislature. The hon. Member proceeded to ask the hon. Member for Manchester (Mr. Jacob Bright) various questions, and I should like to say to him, with all respect, that there was something slightly supercilious in his assuming to speak *de haut en bas* to a Gentleman who is at least his equal in intellectual attainments, and I venture to think his superior in this—that he has shown earnestness and zeal in every cause he has taken up, accompanied by a persistent use of a wealth of illustration and argument which I doubt if the hon. Member for Tralee has shown. I remember my hon. Friend some three years ago making a speech of great power on the Home Rule question, in which he advocated his views with a fertility of illustration and biting sarcasm which made us all feel that we were in the presence of a master of language. To-day he invited us to believe that he was in possession of special information on the designs of Providence as to the division of the sexes! Where do he and others get their special information? They seem to come to us and say—"You have no right to argue this question. We have it direct from the Almighty, that these things are to be as they were in the time of the Patriarchs, and they are to continue so to the end." The opinion of the House can only be influenced by appeals to its reason, and is not to be swayed by something altogether *ex cathedrâ* which reason or judgment cannot be expected to receive. The hon. Member for Tamworth (Mr. Hanbury) has stated his case to the House with very great forbearance from his point of view. I am not thanking him for forbearance, for those whom we represent to-day do not require any forbearance which is not founded upon intellectual reasoning. The hon. Gentleman said that those who were advocating this measure and desiring it for themselves were to choose between privileges and rights. Now, what right have we to talk about privileges? Are we to sit in the form of lords of creation, who have given to women all that they possess? Whatever they possess is not derived from our benevolence, but is surely and certainly attained by their own intellectual excellence. It is not ours to give; it never has been ours to give; and to argue from the past, that because the right of voting had not been accorded to women they never ought to vote, was not satisfactory. When we talk of rights and privileges, we must remember that women have their rights; and one right is to be treated with the same courtesy that one gentleman accords to another. I do not suppose women want any more; and if you assume, when speaking of privileges, that women value it as a privilege that you set them up as dolls to be dressed, looked at, and for special reasons to be treated with special favour on special occasions, I do not think there is a woman of spirit who would not reject such a privilege. The hon. Member for Tamworth (Mr. Hanbury) became gloomy in anticipation, and he talked upon safeguards of morality. Why should we not extend to women a political right which many of us thoughtlessly exercise, taking place as it does only once in

three or four years? The suggestion that our countrywomen cannot bear the strain of exercising the franchise is one that refutes itself on the spot. The hon. Member suggests that from it would flow unnamed mischiefs which he cannot hint at, and that there is something nameless which has been advocated by women. He cannot understand why it is done. Let him seek information from those who do understand why it is done. There are women who feel that duty is paramount above every other consideration of personal feeling; there are women who are moved by the sufferings of others, and who repudiate Acts of Parliament as gross and abominable as were ever passed by a free Legislature. You have no right to sit in judgment upon them, unless you are able to enter into the depth of agony and feeling which they have endured, and which impels them to protest in the face of mankind, and such mankind as the honourable House of Commons is composed of. Is it strange that women should take an interest in the fallen, and should protest against Acts of Parliament which are not to put down vice, but to make its indulgence more safe? I say that women are right in taking that position, and there are men in this House who are ready to pay them their meed of admiration for having placed the call of duty far above every consideration. Women have been insulted and taunted for the position they have taken on this question. I am glad to see that as time progresses and men get educated to the responsibilities they have in this House, questions which were once thought better left alone are now discussed, and I hope that before long we shall find the proper way of dealing with this subject. Then, again, we are told that if you permit the meeting of men and women together you do not know what may happen. A neighbouring country is well accustomed to such appeals as "danger to society," and over and over again you have seen that a plot against the Government has been successful, by suggesting that some murderer is to become the "saviour of society." It is not necessary to follow to their conclusions those undeveloped imaginative prognostications for the future, which we must treat with respect in so far as they are uttered by hon. Friends of ours, but so far as their effect upon our judgment is concerned, with utter contempt and disdain. The hon. Member for Oxfordshire (Mr. W. C. Cartwright) has thrown himself into this contest, and he made a bold assertion. He assumed that the women who did real service to their sex had not indulged in the useless advocacy of political rights, and he mentioned the founders of Girton College. I can only say in answer to him that I know that of the distinguished women who have paid the greatest attention to Girton, and have desired to promote its intellectual power in every way as regards its staff of instructors or the general scope of the education, many are strongly in favour of this measure. If the hon. Gentleman had inquired, he might have been saved giving a vote against this measure on any such ground; instead of which, many men assume that which they want to believe, and the hon. Gentleman has been one of them. May I meet him with the counter assertion, that from the time Mr. Mill brought forward this measure, the whole status and position, as regards education, as regards avenues to fortune and employment, of women, have been vastly improved—and in great part by the strenuous advocacy of the very women who have been most persistent in this claim, refused and put off from time to time by this House of Parliament. I know that to be the case, and I say that even with regard to some women who may not have identified themselves with the suffrage question, that they were first stirred into activity by the friends of the suffrage question to exert themselves as they have done; and as you cannot bring a light into a chamber without illuminating every corner of it, so this great question introduced among thinking women has fermented all their thoughts, and if it has not effected entire conversion, it has drawn their attention to the grievances and disabilities under which their sex labours. I would allude to the agitation for the Bill as the strongest evidence of the immense gain likely to be derived, not merely from the continuance of it, but even from the passing of it, in the robustness of thought that it would give to many women, and the power with which it would turn their minds, not only to the interests of their own sex—because their devotion leads them to labour for both sexes—and even if they had not that

Mr. Hopwood

natural devotion, they could not labour for one sex without producing unmixed benefit to both. I have looked upon this question as an extraordinary educator. I am glad to say that time has not falsified the prediction of many friends, and that it has gone on educating a vast number of women in defiance of restrictions and obstacles up to the standard which previously they had not attained. It is sometimes said to women—"If there be matters you complain of, why don't you remove them? You have influence enough." That is why they come to this House to enable them to do so. If you give them all other things, and deny them this, your giving them the other things is merely an expression of good feeling towards them, which is to be accompanied by no reality; you will not, in fact, give them. They have argued for admission to medical schools. I know some hon. Friends of mine think it hard that theirs should be the first Profession subjected to the strain of this first endeavour of women to get other employment. Remember the selfish reflection sometimes uttered when we are on another subject—that women are in their proper place in hospitals, where the most beautiful side of their character may be witnessed! We praise them for benefits conferred upon ourselves; but is that a reason why we should keep them in the subordinate position? You say that when we come to a question affecting the vices of the community, the women ought to keep out of it. Has the charge of indecency been applied to women who, under a sense of duty, have gone into the hospitals, putting aside the feelings of sex which might be disturbed, and which might interfere with their offering their services as the nurses of suffering humanity? And can the charge of indecency be applied when we are discussing political questions that may affect her sons and her brothers? It is called indecency, because woman gives up her native shrinking, and feels bound to come forward and express how remiss we men have been in performing our duty. I now come to matters affecting this vote of the House. We understand that there has been some sort of partnership or co-operation formed between the solid, immovable, material spirit of Conservatism and the versatile ever-active spirit of political progress. This is an extraordinary partnership, started upon an extraordinary basis, with very little in common between the parties. The question is, whether this thing is right or not. No one has ventured to question the intellectual capacity of women to exercise this vote. Some have got a notion of what some foolish women may do. I am sure if you deprive all the foolish men of the franchise who now possess it and substitute the capable women, there would be more than room enough for a large proportion of the sex you are trying to keep out. You admit that they are capable for the school board. The hon. Member for Tamworth (Mr. Hanbury) tells us that it is a clear gain to the community that women should be on school boards. Education is the power through which we all derive our pretended knowledge to judge of State affairs. What is any one of us stripped of his knowledge? We consider ourselves very superior, but we have admitted that women are not inferior to ourselves in that respect. Is there, then, any reason why women should have the franchise? There are many things in which women remain at a disadvantage at law, owing to laws made by men. If woman is admitted to have great influence, why cannot she give her vote, feeling, and influence upon many questions of the day? Nobody pretends that there are not many questions upon which women might be heard with very great benefit. The right hon. Gentleman the Member for Halifax (Mr. Stansfeld) singled out a woman who, to his honour be it said, did a large amount of service of a very valuable kind for one of the public Departments. Such instances should be quoted to hon. Members to show that it is not to be denied that women are perfectly capable of exercising the franchise. Will any man who knows anything of the question pretend that the state of the law in regard to women's property is right as it stands? I say that it is not. Are your laws of marriage such as recommend themselves entirely to the women of the Three Kingdoms. I trow not; but, at all events, before you mend them, you should get the reflections of the most capable among them. There are Professions to enter. Are women to enter them? are women to have avenues to fortune? and is the expression of their intellectual energy to be only dependent upon the almsgiving of men?

They ask it as a right. It is urged as a reason against female suffrage that women are indirectly represented by their husbands and brothers. From this side of the House it is monstrous to hear such an argument. It is feared that we should submit to the mortification of finding female suffrage disadvantageous to the Liberal Party. That which was no argument when it came from the other side of the House is now employed against the admission of a class. ["No!"] "No," says an hon. Member. Let us call it sex, or category, or whatever you will, the injustice remains the same. It is said that if these women were admitted, there is an end to Liberal Governments for a long time to come. When that potent voice which is now speaking against us demanded the extension of the suffrage, the answer from that side of the House was—"They are not fit for it." They dreaded that it would give strength to the Liberal ranks. We trampled upon and disdained that argument then. Are my hon. Friends to be pressed by powerful interest to abstain from recording their votes, because the measure will give strength to the Conservative ranks? I should have done with the Liberal creed for ever if I thought it depended upon, not whether the measures which we are able to pass are measures of justice, but whether they are likely to return us to power and keep us there when we are there. I trust the leading men on this side of the House will take a nobler view of this question, and that it will not have to be recorded of the Liberal Party that it was guided by any such consideration. It will cease to be the Liberal Party when it ceases to welcome every fresh accession to the Constitution created by attending to the just claims of those outside, and to remedy the evils affecting those already included within it.

SIR WALTER B. BARTTELOT: Sir, the hon. and learned Member for Stockport (Mr. Hopwood) has told us that women are in a subordinate position. I entirely deny that. There was another point on which he touched, and I certainly should have thought that after his remarks upon the speech of the hon. Member for Tralee (the O'Donoghue), no references to the Contagious Diseases Acts would have been made by him; because, whatever his opinion may be, and whatever he may think of ladies who advocate the repeal of those provisions, I will only say this much, and I believe I am speaking the opinion of almost all in this House, as well as of the educated portion of the ladies of the country—that they had better leave to men any agitation in regard to such cases. Let us look how the case stands. It has been before the country now for some time, and the question is, has it made progress, or has it gone back? I appeal to the House, as I would appeal to the country, when I say that, notwithstanding all that my hon. and learned Friend the Member for Marylebone (Mr. Forsyth) has said, and notwithstanding the meetings that he has talked of, this movement has not made progress in the country. It has not made progress in the House; and why, the speech of the hon. Member for Tamworth (Mr. Hanbury) will show. He has thought about this matter; he has seen what the logical consequences must be of passing such a Bill as this. Does the hon. Member for Manchester (Mr. Jacob Bright) tell me that having passed such a Bill as this he is prepared to stop there? No; everyone knows that the movement will go on. It would be absurd to say that women who have property of their own should lose the right of voting by marriage, and the enfranchisement of married women will come by-and-by. Then will come the question of a seat in this House. I shall not go into that matter; but those who have thought over it, have re-considered the opinions they formerly held, and the division to-day will present a very different complexion from hitherto. Far be it from me to say that women are not useful in regard to education; far more so than men. ["Hear, hear!"] Yes, in their own position; but the great question is whether, if you have 50 men and three or four women mixed up together—as is the case at any rate on the great School Board—women may not say what they please; and whether, when the gallantry of men is called into account, women have not a very great advantage. In cases of that kind, I would venture to say that the more you try to introduce such changes, the worse it will be, not only for them, but for this country. Now let me go further. The hon. and learned Member for Marylebone has said that one-seventh of the land of this country above

one acre is held by women. I should like him to have gone more closely into that calculation, for I deny it entirely, and some statistics might be brought to show that it has no foundation in fact. Notwithstanding all that he has said about the increase of interest on this question throughout the country, I say for myself, as a humble individual, that I have asked women of every position in life, from the highest to the lowest—I may have been unfortunate in the selection of those I asked—but I have never found one individual woman who has a wish to possess this franchise, and that is the main point. Until you can show that the majority of our fellow-countrywomen want the franchise, you may come here as often as you like with a Bill like that of the hon. Member for Manchester, but you will never carry that Bill in this House. Notwithstanding all that, the hon. and learned Member for Marylebone has said, I believe, that not even in another Parliament will a Bill of this kind have a better chance than it has in the present Parliament. Here is the mistake which many hon. Members of Parliament make. They go down to their constituency and hear a most respectable, and no doubt, perhaps, a highly-educated few demand that woman suffrage shall be granted, and some are foolish enough to comply in the request that they should support the Bill. But your constituents as a body look to you who represent them not to be guided by any small section or clique. If it be true that the large majority of women in this country do not desire the franchise, I say that it will be a very distant day before the franchise is granted in this country. I see the hon. Member for Hackney (Mr. Fawcett) in his place. He is one of those who advocate most strongly the education of children in rural districts. I should like to ask him whether he thinks a woman, the mother of a family, ought to bear the same burden as men, and should go out into the fields to earn money in support of these children; or whether he is not one of those who, knowing the value of woman in her sphere and in her own house, would rather that she stayed at home to do that which is absolutely necessary for the well-being, contentment, and happiness of her husband and her children, rather than earn money in the fields? My hon. Friend will not dispute that argument; and will see that for every purpose she is far better at home, than in the fields. So it is at a General Election. It is said that landlords take away their farms from those widows who have not got votes. I overheard a friend of mine, who is most highly respected, and who knows the details of this matter as well as any man in the House, say that in an adjoining parish to him, there were five widows, and not one of them had been turned out of their farms on account of not having votes. I would venture to ask why, if these women and such as these are allowed to remain on their farms for the benefit of their children, you should enfranchise women? My hon. and learned Friend the Member for Marylebone touched lightly upon the speech of the right hon. Member for Birmingham (Mr. John Bright) last year. I recollect perfectly well looking at that clock last year, when there was ample time to have answered that speech, had he then been so inclined. But he said, as they were inclined to go to a division, he would not answer that speech. Why, it was a very difficult speech to answer. I am glad to say that in regard to a subject so vital to the interests of the country, we have that Egyptian repose which we are said by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) to exemplify on this side of the House. I always thought that the right hon. Gentleman was a very gallant man; but I believe he has only once voted on this question, and then he voted against the ladies. Thus we have two distinguished Liberals who are Egyptians, and favour repose in this matter, rather than Grecian progress. Well, that is a great point to be gained. The right hon. Gentleman the Member for Birmingham in his speech dealt conclusively with the interests of women, and with a generosity which I hope he will extend to the much-abused class called country gentlemen, when he speaks of them out of the House. We listened in rapt attention to his well-considered, well-delivered arguments—always so much to the point, and never was he more to the point than when he dwelt upon the duties of women to their country, and showed that it was impossible to neglect them without detriment to themselves—and when he called

up those feelings that every man has experienced when he has been in difficulty and trouble, and has looked back to the words spoken by mother, wife, sister, or daughter, we could not but feel that it was not for them to be mixed up in the tumult of popular elections, and that the great majority of the women of this country look to us to protect them in those rights and privileges they now enjoy, and not to force upon them that which they do not desire.

MR. M'LAREN said, he should not have risen to address the House, but for the fact that the hon Member for Tralee (the O'Donoghue) had stated that few public meetings had been held in favour of the Bill, and also for a remark made by the hon. and gallant Baronet who had just sat down (Sir Walter Barttelot), that he never knew any woman who desired the franchise. The hon. and gallant Baronet said he had spoken to women in all ranks of life, from the highest to the lowest, and never met one who desired to have the franchise. His (Mr. M'Laren's) experience being distinctly contrary, he thought it his duty to inform the House that there were two views of that question. He had presented a number of Petitions to the House on the subject, among them several from women householders in the city he had the honour to represent, numbering in all 900. He had observed also that a Petition had been presented from Aberdeen, signed by 600 women householders in favour of the measure. One of those Petitions he had presented to-day. Having heard of the high position of the ladies who had signed it, he thought he would send it to the surveyor of the local rates to have it verified, in order that he might see the real position of the parties signing it. He thought it would interest some hon. Members of the House to know the facts. About 100 names were appended to that Petition, which was now on the Table of the House; but of these about 12 lived beyond the ratepaying circle of the burgh, or were married ladies. These were struck out, and the surveyor sent back the Petition with the rental of each house affixed to the margin. All the houses were occupied by widows or unmarried ladies. The result of the surveyor's report, founded on the rateable value of each house, was that from houses of £20 to £30 in value there were eight signatures, from £30 to £60 a-year 20, from £60 to £100 a-year 23, from £100 to £150 a-year 22, from £150 to £200 a-year 5, and above £200 a-year 1. Hon. Members would bear in mind that he was not dealing with the high-rented houses in London. The figures must be compared by those who know them with the rental of houses in the large provincial towns, and when they found that ladies occupying houses of the kind indicated by his figures had signed a Petition in favour of female suffrage, he thought it would remove the impression which existed in the minds of some hon. Members, that because they had not met with ladies who desire the franchise, no such ladies existed. The position of those ladies showed that they must have large incomes, or they could not occupy houses of that kind. Other Petitions had been presented by himself and his Colleagues, from Edinburgh, signed by 52 medical men, 14 barristers, 39 ministers of religion, and 139 persons engaged in education. Within the last few years numerous public meetings had been held on the subject in the city; and within the last year a different class of meetings had been brought about. Ladies of the class to which he had referred had called meetings of ladies in their drawing-rooms, and 19 of those meetings had been held, from which Petitions had been sent up. He thought those facts showed that a great interest existed in certain quarters in favour of the movement, and the facts by which he had verified one of the Petitions indicated that the interest existed also among ladies of the highest class. He might mention a fact concerning the ladies who had been interested in getting up Petitions. It was stated by a leading newspaper in Edinburgh that several names had been added to a Petition by an indiscreet canvasser, in the absence from home of the persons who purported to have signed. The secretary of the Ladies' Committee investigated the matter, and it turned out to be so; and though 3,000 names had been collected, including perhaps 150 or 160 spurious names, the Ladies' Committee resolved that the Petition should be destroyed. They were indignant at the idea of spurious names being appended to their Petition. It would be quite against their ideas, and in their view discreditable, that they

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should be the means of sending up Petitions which were not in every respect genuine. He believed few instances had occurred in petitioning the House during the last 20 or 30 years in which any hon. Member could say that a Petition of 3,000 signatures was destroyed because, by the indiscretion of one canvasser, 150 or 160 spurious names had been appended to it. He did not wish to argue the main question. His object in rising was merely to state these few facts, and leave them to make their own impression upon the minds of hon. Members.

MR. BALFOUR: Sir, whether the hon. Member for Tralee (the O'Donoghue) was right or not in taking the somewhat jocose line he did, I shall not determine; I shall only address myself to the reason of the House. But, before coming to the subject in hand, I must make a remark upon the line of argument taken by the hon. and learned Member for Marylebone (Mr. Forsyth) when he commented upon the speech of the hon. Member for Tamworth (Mr. Hanbury). He accused my hon. Friend of inconsistency, because no new arguments had been brought forward; and seemed to think it absurd that a man, after being made acquainted with an argument, should alter his opinion as to the value of that argument. My hon. Friend was no doubt acquainted with these opinions when he was in favour of the Bill; and the change is not owing to his having discovered new arguments, but simply because he has altered his estimate of the value of these arguments in determining this question. I think that the Bill introduces a great change in our Constitutional system. There is no country in the world that has adopted woman suffrage. In those parts of America where it has been adopted it has not been an unqualified success. Nobody can believe that there will be any danger to the State from a rising of women; but we have to consider whether the machinery of representation will be improved by this alteration or not. We have to consider whether the somewhat cumbrous and difficult machine called popular government will work more smoothly and with better results if we make this alteration, than if we do not make it. Now, I appeal to the House, whether adding women to the electoral roll in any large numbers would render a General Election a less disgraceful and dangerous scene than it is at present. What would be the result when passions run high, and when almost everything but Party considerations are left out of account? What would be the condition of ordinary women? How many would go to the poll, except those whose political ardour is such as to make them brave the dangers which are sufficiently deterrent to men? And I think many women will see that politics are not a very desirable field of exertion for them. One of the greatest evils we have to contend with is the bitter feeling that rises between friends and neighbours who take opposite sides on political questions. Everybody who has had to do with districts where political passions run high will know how often old friendships are dissolved in consequence. These bitter feelings would, if this Bill passed, be introduced into the home. Contests would not be so much between neighbour and neighbour, and between friend and friend, as between husband and wife. I think I am justified in treating with contempt all ideas of remedying this evil by limitations of the woman suffrage. I need not suppose the exclusion of married women, and I say that if you include them, you introduce into the homes of England new and most dangerous elements of discord and strife. There is one argument which ought always to be weighed when we are considering whether any new class should be admitted to the suffrage of the country—the statement that there are questions deeply affecting the unenfranchised class which the enfranchised class refuse to settle. If such a statement is true, it supplies, no doubt, an argument for the admission of the unenfranchised class. This argument may be used with special effect against myself, because I have always supported Bills in favour of women, and on one occasion I brought forward a Bill for the benefit of women. I have always advocated the abolition of any restrictions on their medical education, and the other day I brought forward a measure for giving to women educational advantages which are now confined to men. I feel, therefore, that some may say—"You brought forward this measure; you think therefore women are deprived of some advantages by the action of men, and you are bound to give women that voice in the country which may result in the redress of these par-

ticular grievances." I think I have two answers to that—the subjects of the grievances are not of such magnitude and weight that it is worth while or even justifiable to alter the Constitution of the country in order that such measures may pass. The salvation of the country or the happiness of women does not depend upon their medical degrees for instance. There is a second argument that weighs with me more than that. In bringing forward such measures we who hold these views meet with considerable opposition, and our opponents are as fertile in jokes as in arguments. But the opposition which is encountered in this House by those who favour women suffrage is as nothing to the opposition given by ordinary women on the subject. Talk to any woman of your own acquaintance chosen at haphazard, and you will get a far more violent attack upon this measure than you have ever heard in this House. On that ground alone I should be disposed to consider with suspicion any effort to give this privilege to women. Then what are the particular questions in which women have shown interest? There was never a more violent or unscrupulous agitation than that to which the hon. Member for Tamworth (Mr. Hanbury) referred. Well, it was entirely originated by women, who advocated on humanitarian principles a course against the judgment, commonsense, and the best interests of mankind. When we consider that such questions as these would be likely to be brought before a woman-suffrage Parliament, I think the House will agree that there is not sufficient reason for making this great change in the law of the country.

SIR JOSEPH M'KENNA: I wish to explain here that I shall give my vote in favour of this Bill. It is too much the habit in our debates to discuss not the Bill immediately before us, but that particular condition of things which each individual speaker prognosticates will be brought about if such Bill becomes law. In this case it has been said that it necessarily means the enfranchisement of married women. Now, nothing has been more clearly denied by those who introduced the Bill and those who have supported it than that there is any such intention. But if there be anything in the Bill which is in the least degree doubtful in its terms, it could be easily remedied in Committee. I, for one, would not support the Bill if I believed it would introduce the possible occurrence of a divided vote between husband and wife at Parliamentary elections. I simply understand that the vote which would be conceded by this Bill would be quite analogous to the franchise now enjoyed in respect to municipal elections, and which has not been followed by a demand to assume municipal offices. The hon. and gallant Baronet the Member for West Sussex (Sir Walter Barttelot) has made some remarks in reply to an observation from this side of the House, denying that female tenant-farmers were turned out of their farms and replaced by male tenants. He says he knows one case in which a gentleman has informed him that he had no less than five widows as tenants. I ask him whether he thinks that these five widows should be placed in such a position—as I presume he meant to imply that they were important and valuable tenants—and why should the territory of which they were the occupants, they having a large number of persons under them, only have Parliamentary representation at the will of the owner? If you do not descend to manhood suffrage, for which I will not ask, I do not see why you should not give a property suffrage, and give it to women as well as to men, except in the case where the woman has entered with her eyes open into a contract which transfers her rights to her husband. I cannot conceive that this Bill necessarily leads one step further than to enable a woman to vote. Nobody has heard of an alderwoman as a consequence of women voting in municipal elections, or a proposal that a woman should be elected mayor. Why, then, should it be a dangerous principle to apply to the Parliamentary franchise? Why will it follow from the Bill that women will be returned to Parliament? I may certainly testify to the fact that the majority of the women of my acquaintance are against this Bill, and why? Because they are fortunately situated; they feel themselves tolerably well represented by men in whom they have confidence. But with respect to the struggling class of women who are thrown upon the world, and who are struggling in some kind of business, why should not they have a franchise conferred upon them which would make them an important element in our poli-

tical community? Therefore, on the ground that the Bill proposes a cautious step I shall support it. But if we enfranchise those women who are now entitled to the municipal franchise, and if after a year or two it is proved to be an infelicitous change, I would turn round and vote for the repeal of the Bill. I should be quite prepared to change my opinion if I saw good ground; but since the subject was introduced by Mr. Mill, I have seen no occasion to alter the favourable views I then entertained.

MR. HENLEY said, he desired to briefly state the reasons which induced him to give support to the principle of the Bill. It was not long since the Legislature entrusted or imposed the municipal franchise upon the women of England. That was done, so far as he recollected, almost *more motu* by the Legislature, without any great amount of pressure from without. What was their experience of that change? Had any of those events occurred which the prolific brains of hon. Members who had spoken on the other side suggested as a consequence of the admission of women to the lower franchise? He thought not. And yet it should be remembered that not only did political feeling enter into all municipal contests as much as it did in Parliamentary elections, but with the former there were also mixed up local and personal considerations of the strongest kind. If, then, the exercise of the franchise was to take women out of what the opponents of the Bill chose to call their sphere, if they were to be disturbed in all their relations of life, in all those good qualities which they possessed, and in the benefits which they conferred on mankind by the exercise of the franchise, why was not some proof offered that the granting of the municipal franchise had had this effect? He had heard no attempt to prove anything of the kind. He confessed he was more weighed by facts than by opinions. When he had seen for several years the operation of the municipal extension to women, and when he remembered that they had already chosen by Legislative action to disturb the quiet waters and to bring women into all the turmoil of life in these municipal elections, which were annual, and he saw no proof in any single detail of the opinion that the extension of the same privilege to the Parliamentary franchise would be attended with consequences at all inconvenient, he was induced to support the principle of the present Bill. He would not commit himself to the approval of any of its details, but if the principle was once settled, the details might be easily arranged, and amended, if necessary, in Committtee.

MR. BERESFORD HOPE began by expressing his satisfaction at seeing the right hon. Member for Oxfordshire (Mr. Henley) once more in his place; but he was sorry to say he could not agree with him in his arguments in support of the Bill. The right hon. Gentleman had appealed to some short experience of the municipal franchise as a test of how the Parliamentary franchise would be used by women; but, in the first place, the sort of business which came before municipal bodies was generally only administrative. But, in the second place, the giving of the municipal franchise to women was accidental, not deliberate, and the circumstances attending it did not constitute any precedent for taking further steps in the same direction. At the time when the Bill which gave women the municipal franchise was brought in, hon. Members were not so vigilant at late hours of the night as they were now. The hon. Member for Manchester (Mr. Jacob Bright) came down like a wolf on the fold, and pushed it through in the small hours when no one knew what it really contained. But even had it been proved to work well, that would have little bearing on the question. He did not think it had done good, and the right hon. Gentleman did not think it had done harm; but, in fact, it had been tried for so short a time that they could not be said to know much about it yet. Municipal success might be Parliamentary dead-lock. If by any convulsion the present Members were turned out of that House and those benches filled with the members of the municipal bodies of England, he did not think that it would be a good change for the country. The duties of such bodies, respectable as they might be, were not legislative, but administrative; the Legislature laid various duties upon them, which they fulfilled according to their ability; but such petty business in making bye-laws, as might come within their competence, was very different indeed from the binding legislation for which Par-

liament existed. Again, he must observe that it was just about the series of questions bearing on moral and social policy which naturally came within the province of the House that women's minds were most excitable, and on which women therefore might not be the best qualified to act or speak judicially. Therefore, even if it was proved that the character and action of these municipal bodies were improved by the admission of women to the lower franchise, it would prove nothing as to admitting them to the higher one. He did not set much value on the support of the Bill by the hon. and learned Member for Stockport (Mr. Hopwood), who seemed surprised at what he called the increased bitterness of the opposition. The hon. and learned Gentleman talked of forms of argument suited to the infancy of a measure, but inappropriate to its maturity. Had he, however, never heard of a measure reaching its second childhood? As for the hon. Member for Youghal (Sir Joseph M'Kenna), he showed that he little understood what he was doing. He said that the Bill was intended primarily for the relief and protection of wives of the struggling classes. He (Mr. B. Hope) would like to know how humble and industrious wives of the struggling classes were to be benefited by giving the franchise to the prosperous unmarried owner of the villa and brougham? But the hon. Gentleman said—"Try the experiment, and if it fails you can take away the vote again." Unconsciously the hon. Gentleman showed with how little serious respect he treated his clients. Who ever breathed a suggestion of taking away the suffrage from any class of voters whom he really respected, and in whose enfranchisement he had taken a part? Who would dare make such a proposal when the voters were men, and stand the howl of indignation at such re-actionary sentiments? And yet the hon. Gentleman, in the lightness of his heart, proposed so to treat lovely woman, whom he would enfranchise one Session and degrade in another. This movement had been artificial from the beginning; it had worn two faces—one turned to the Conservatives and the other to the Radicals. It was the old legend of Una and Duessa. On the one side, appeals were made as to the folly of excluding ladies of property and intelligence from the suffrage, and prophecies were hazarded as to the stability and tranquillity which such votes would contribute to public affairs. On the other, it was plainly put forward as part of a movement by which mere numbers were to be made everything, and which deliberately proposed to trample down all differences in society, all which could qualify or modify the mere process of ruling by counting heads. Why did the hon. and learned Member for Marylebone give up the charge of the Bill? Of course, plausible reasons had been assigned; but he was sure it was that his hon. and learned Friend could no longer stand the competing elements within the movement. The hon. and learned Member for Marylebone was a squire of dames, but he was also a sound constitutional lawyer, and he found his position untenable. But they had direct evidence as to what the women suffrage would end in. He was aware that the advance guard, in Parliament, of the movement were not yet professed agitators for universal suffrage; but he was sure that the hon. Member for Manchester would never refuse to go down any incline, however steep, which he saw open before him. They all knew and respected the name of Mr. Hare, who had produced several beautiful theoretic schemes of representation, which somehow or other had never commended themselves in practice. Almost the only region where a part of his scheme had been attempted to be carried out was Denmark, and there, during some recent debates, the Speaker of the Chamber would not allow the Chancellor of the Exchequer to open his own Budget! Well, about two years ago a deputation from the Adult Suffrage League waited upon Mr. Hare. The names of the deputation were not among those who had hitherto been much known in public life, but he had no doubt, for all that, that they were entitled to carry weight. One was a Mr. Shipton, and the other bore the remarkable name of Smith—Mr. Smith. Now, Mr. Hare was a supporter of women's suffrage, and he stated to Mr. Shipton and Mr. Smith that he was glad to see that they did not call themselves the Manhood Suffrage League, but the Adult Suffrage League, because he thought that every woman was entitled to a vote as much as every man. Mr. Hare stated this on behalf of the Women's

Suffrage League, and, so far as he was the mouthpiece of that body, he combined, in concert with Mr. Shipton and Mr. Smith, to commit the movement to a doctrine of suffrage infinitely more extreme than had ever been breathed in France or in America, for it would not be manhood suffrage, but human race suffrage. ["No, no!"] Very well, they could settle accounts with Mr. Hare themselves. If he had not a sincere respect for Mr. Hare, he would have used more uncomplimentary language about the project. How was the House of Commons to stand this Janus-like appeal to property and intelligence on the one hand, to the dead weight of mere numbers on the other? No doubt when Mr. Hare expressed the opinion he did as to adult suffrage, he qualified it with some conditions as to education; but some of his own friends expressed a doubt as to whether such limitations could be carried out. The hon. and learned Member for Marylebone said that the admission of women to vote would not be followed by their admission to a seat in that House; but the precedent of the school boards disproved that comforting assurance. As long as there were no school boards and no women members on them, there might have been some plausibility about the assertion. But the precedent of the little Parliament on the Thames Embankment settled that question. The Act of the hon. Member for Manchester gave the precedent for the vote; the Education Act supplied a similar precedent for the seat, and the two went logically together, and could not now be separated by those who appealed to the municipal franchise. If the House passed the fragment of women's right expressed in this Bill, it would only land itself in the difficulties which always attended being brisk in giving promises which they were afraid of, and grudged the conclusion. The other side grew more and more bold every year; and if the hon. Member for Manchester really professed to believe they would be satisfied with his Bill, he was either innocent beyond his age and appearance, or crafty with a craftiness that could be easily seen through.

MR. JACOB BRIGHT: There is one part of the somewhat jocular speech of the hon. Member for the University of Cambridge (Mr. Beresford Hope) which interested me. He told us that if the House were to pass this Bill, and the franchise were once given, it would be utterly impossible it could be taken back. That seems to me to be an admission that, if women do not now strongly desire the franchise, when they have got it they will very soon be educated to appreciate its advantages. The right hon. Member for Oxfordshire (Mr. Henley) made one of his sagacious speeches in defence of this Bill. The right hon. Gentleman is in perfect consistency with his own past conduct. He was one of the first men in this House—I do not say the first—but he was the very first man on the other side of the House who advocated household suffrage years ago. He has experienced no disappointment with regard to the results of household suffrage, and therefore he desires to have a real household suffrage which will admit all householders to the franchise. The hon. and gallant Baronet the Member for West Sussex (Sir Walter Barttelot) spoke of this as an expiring question; he gave us the idea that he thought the movement would come to an end; but, earnest as he usually is, there was in his speech a degree of earnestness unusual even for him; and I could not help thinking as he spoke, that if this movement were coming to so sudden a termination, such earnestness was absolutely unnecessary. Another curious reflection suggested by the debate is this—it seems difficult for any hon. Member to take an active part against this Bill, and to be at the same time in harmony with his constituency. I am told that the hon. and gallant Baronet represents a perfect paradise of a constituency, in which there has not been a contest for generations. It is very likely that in such a place a question of this kind, being comparatively new, has not been much talked of. Last year I had to deal with my hon. Friend the Member for Huddersfield (Mr. Leatham), and I remember showing how completely his constituency was opposed to him; and I might do the same with regard to the hon. and learned Member for Taunton (Sir Henry James) and the hon. Member for Tamworth (Mr. Hanbury). I received yesterday a letter from Tamworth, from a gentleman I do not know, telling me that the Town Council of Tamworth had, within the last week, sent up a Petition to the hon. Member, signed by 14 out of the 16 members of the Town Council;

and the writer stated there was considerable evidence in the borough of Tamworth that, although the hon. Member represented the constituency in almost every other particular, yet in this particular matter he did not represent them. We have all heard before probably every argument that has been urged to-day against this Bill; the same arguments, or, if not the same, very similar arguments, have been urged again and again in opposition to every measure of enfranchisement; but, when public opinion became ripe for those measures, when there was more and more pressure out-of-doors, those arguments disappeared like vapour, and they who employed them had forgotten that they ever made use of them. I undertake to say the day will come when we shall hear no more of such arguments here, and when justice will be done to those whose cause I to-day advocate. I wish to refer to a few of the arguments used to-day. We have been told that women do not care for this matter. I do not mean to assert that this question is now ripe for legislation—that there is that kind of pressure in the country which would induce the House at once to pass a measure like this. I take no unreasonable view with regard to it. But let us look at the indications of opinion in favour of this measure. In the first place, almost every woman, who by accident has been placed on the register—and in various parts of the country women have been placed upon it—have voted as eagerly as men. Some have voted for hon. Members on that side of the House, and some for hon. Members on this side. Further, they have asserted, in very large numbers, their claim to be put upon the register, making those claims in the belief that they had a right to vote, and defending them before the Courts as men have defended theirs. Judgment was given against them in those Courts, and what did they do next? They took their case to the Court of Common Pleas, not capriciously, but because they believed that women had the right to vote if the law were fairly construed. In the Reform Act of 1867 the term "male person" did not occur; the term used was "man;" and as we understand that, it is a comprehensive term including the species. But an Act was passed in 1850 which stated that words in an Act of Parliament importing the masculine gender included females, unless the contrary were distinctly stated. Taking these two Acts of Parliament together, it was no wonder women should think they had a right to vote. But further, the word "man" in the Act of 1867 was used not only in giving privileges, but in imposing burdens. The House will remember that in 1867, when the vote was given, the local taxation of houses was altered, and the alteration produced great irritation throughout the country. The Act was construed as extending those burdens to women, and it was not surprising they should have thought that its privileges extended to them also. It is well-known that the Court of Common Pleas decided against them; but, if there had been an appeal, it is very likely the decision of the Court below would have been upset in this particular case. I am endeavouring to show that there is a great desire on the part of a large proportion of women in this country for the franchise. With regard to the municipal vote, I do not accede at all to the history which was given of it by the hon. Member for Cambridge University; I believe his statement to be extremely inaccurate. However, the vote was given, and women availed themselves of it in large numbers; and in many places they voted in equal proportions to men. Something has been said about Petitions and public meetings. There is not a Member of this House who has any cause in hand who would not consider it a great thing if he got Petitions with something like 500,000 signatures every year in favour of that cause; yet that is the case as regards the present question, and the hon. Member for Edinburgh (Mr. M'Laren) has shown with what care those Petitions are produced. There is another kind of evidence of the growth of this question out-of-doors, and I will refer to it, because it is peculiarly interesting—it is the action taken by many in this House in regard to it. As a rule, a Member who is interested in a question is satisfied with the effect produced by debate, and he reminds his friends by a "Whip" that a division is to be taken. But further efforts have been thought necessary on this occasion. I am told that this House has been canvassed as much as any small borough has been canvassed at the time of an

election, and with the same passionate activity, in opposition to the Bill. I dare say my hon. and learned Friend the Member for Taunton could give the House some information on this matter. It seems curious that this fear of representation should have its chief seat on the front Opposition bench, where we are accustomed to look for the initiation of a generous and Liberal policy. But I have some hopes even of my hon. and learned Friend, as he is open to conviction on the largest scale, and I should not be surprised to see him in a little while supporting this Bill. A very short time ago, judging from his speeches in the country, he was greatly hostile to the County Franchise Bill; but I am told—I heard it on undoubted authority—that the hon. and learned Gentleman is converted upon this question, and is willing to admit 1,500,000 persons within the pale of the Constitution, irrespective of their ignorance or poverty. I have endeavoured to show that there is a large demand, and I do not see how that can be denied. How is it there is this demand on the part of women for some degree of political influence? Does anybody suppose that that which is so intensely prized by men can be looked at by women with absolute indifference? There are few things in life that men prize more than political influence. Only let a Bill for the redistribution of seats come before this House, and see how town will set itself against county and county against town, and the Liberal Party will contend against the Conservative Party with the utmost jealousy on the part of each, lest a little political power should escape it. Again, one-half the oratory of our time, and some of the finest oratory probably that Englishmen ever heard, has been expended in teaching people the great advantage of representation. Women have been learners just as men have been learners; this lesson has been taught them; and far from being surprised at it, I should have been greatly surprised if they had not learned it. Look at what has occurred in the change of the character of this House since the passing of the Act of 1867. How differently now we approach any question which working men may bring before us. We approach it in a totally different spirit, because we have the great advantage of being responsible to those for whom we legislate; and therefore we come to this House with a degree of knowledge which we should not otherwise possess. Look at the change that was made in the Labour Laws. Look at the sudden disappearance of a mass of prejudice that was not creditable to this House, and consider that no harm whatever has followed, but on the contrary much good. Let the truth be spoken—women want to feel that any questions in which they are interested will be considered in this House in the same serious manner and in the same earnest spirit that are now exhibited whenever questions affecting working men are introduced. Women want to be in this position—not that any question they care about shall be settled exactly as they believe it ought to be—but that hon. Members of the House of Commons shall look at it from the women's point of view as well as from their own, being assured that if this were the case justice would undoubtedly be done. A few nights ago my hon. Friend the Member for Liskeard (Mr. Courtney) introduced in this House an educational question affecting women in connection with the Universities Bill. The question of educational advantages is a very serious one for women, for they have to depend so much upon their teaching power; and it was a serious question for the nation, because we, as a nation, are so much in the hands of women with regard to the education of our children. I do not know whether I shall be told I was mistaken, but I thought the House was rather disposed to make merry on that question than to treat it seriously; and on referring to the morning papers of the day after, I found that that was the view taken by the writers for the Press. Another question affecting women was brought before the House by the hon. Member for Glasgow (Mr. Anderson). He introduced a Bill dealing with the property of married women in Scotland. It was looked upon as something rather wild and extreme, although it was simply an honest Bill, which did nothing more than say that a woman should have what was her own; that was all it said. In the short conversation to which it gave rise, both the Scotch Representative of the Government and other hon. Members on both sides of the House insisted that the English Act of 1870 should be

the pattern for this Act; and they spoke of the English Act of 1870 as if it were the paragon of perfection. If we had been responsible to a certain number of women in our constituencies, I believe the hon. Members who discussed that question would have understood it better. That Act of 1870 conferred great advantages; yet even lawyers would admit that it is full of pitfalls, difficulties, and obscurities. Under that Act, if a man bequeathes his married daughter the sum of £200, the money becomes hers; but if he bequeathes her something more, say 200 guineas, that goes to her husband. If, however, she inherit by intestacy, however large the sum, that sum is hers. Only consider the confusion produced by an Act which allows property to be left under such conditions. The chief aim of that Act was to give working women their earnings, and it provided that their earnings should be theirs if they were invested in one way, but another's if they were invested in another way. Therefore, the difficulties placed in the way of working women in dealing with their money were very great. I am not going to deal with the grievances which women complain of; I am not going to enter into a long catalogue of what they conceive to be the differences between the legislation for women and that for men. It may be said—and I suspect it would be said both by opponents and supporters of this Bill—that differences of legislation in regard to men and women are inevitable, and that for all time, probably, we shall have to make one law for one and one for the other. I am not now concerned to contest the point; but if it be so, and if we have always to pass laws which do not affect ourselves, that seems to me one of the strongest arguments which can be used in favour of this Bill, because those for whom we make laws should have some control over us, especially in the case of laws which will not affect us. It has been said in the course of this debate that legislation in regard to women has lately been more just, and that whatever anomalies are complained of will gradually disappear. That may be, and I hope it will be; but, if it should take place to the fullest extent, I deny that it would suppress the demand for this Bill. The demand for this Bill rests mainly upon the simple ground of justice, and I affirm that no amount of argument, however able, and enforced though it be by the eloquence and rhetoric which are at the command of our opponents, can shake the firm conviction in a woman's mind that to pass what is called a Household Suffrage Bill, and to leave her house out as though it had no existence, is a wrong and an injustice. The marriage argument has been referred to by the hon. Member for Tamworth, and it is always referred to very vivaciously by the hon. Member for the University of Cambridge. This Bill does not touch upon marriage at all. It simply says, let a woman have a vote if she have the qualification. In what I say I am not catering for a few votes; that is not my object; it is to promote as far as I can a candid discussion of this question. I admit that if I found a woman in possession of the qualification to vote, I should not ask her whether she were married or not. I do not believe the foundations of society are going to be disturbed, because here and there a married woman in the possession of property may have a vote. On the other hand, I am sure this Bill would not enfranchise married women. We are assailed on one side because many say it would; and, on the other, infinite ridicule is poured upon us by those who say, you are going to pass a Bill to enfranchise women, and yet you will exclude married women. But what has Parliament done again and again? It has passed Bills, without dissent, which followed these very lines. The Municipal Franchise Bill and the School Board Bill give votes to women, and yet exclude those who are married; and if our opponents were consistent they would have opposed those Bills on this ground, especially the School Board Bill, because it may surely be urged that if anyone has a right to control a school board in the education of children, it is the married woman whose children attend the board school. I take a practical view of this question; I believe it is a practical question. I would not ask for the enfranchisement of women-householders if I did not believe they were capable of taking a part, and an intelligent part, in public affairs, and if I did not know that they had the necessary experience. Let me mention the capacities in which we find women-householders at present. We find them acting as overseers of the poor; and is

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there an hon. Member can doubt the usefulness of women in that capacity? We find them appointed as Poor Law Guardians by those who know the value of their services. We have them on school boards, holding their own against some of the ablest and most eminent men of this country. We find them qualified as physicians, to the great advantage, as we know, of their own sex. Look at the amount of patient labour that is necessary to obtain that qualification. To say to a woman who has obtained it that she shall not have a vote if she is a householder seems to me an unreasonable thing. The hon. and gallant Baronet the Member for West Sussex expressed some doubt as to the statement of the hon. and learned Member for Marylebone about the ownership of land by women. I believe the hon. and gallant Baronet has since satisfied himself by reference to public documents that that statement can be confirmed. I find that of the owners of land of one acre and upwards in this country 14 per cent are women. We are now face to face with a County Franchise Bill. I have never been in favour of enfranchising the well-to-do and leaving out the humble people of this country; but on the other hand, I am not in favour of enfranchising the humble and more dependent and leaving out the well-to-do. It seems to me that if this 14 per cent of women who are landowners are never to have votes, while those who till the soil may have them, we shall be taking such a course. Let me ask a question of those who are engaged in the agitation for the county franchise. Ten per cent of the farmers of England are women. Will you enfranchise the labourers, and will you leave the farmers without any political influence whatever? I think that question ought to be answered, for it is an important one. We find women in other positions. They are patronesses of livings, and 5 per cent of the lay patronage of the Church of England is in the hands of women. We find women with the right to appoint clergymen who shall be the spiritual instructors of large parishes, and yet we prevent them taking part in the election of Members of this House. I have noticed the report of the interview which a deputation had with the Chancellor of the Exchequer yesterday. I had understood that both that right hon. Gentleman and the late Prime Minister were in favour of this Bill, with some modifications, always considering the question of time. When the Leader on the other side of the House and the most popular man on this side of the House are in favour of the Bill, I do not think any adverse division—and I am told we are to have one—will have much effect. The great influence of those who support us in the House, and the large and growing support the measure is receiving in the country, will not be diminished by such a division. I must admit, in conclusion, that there is a fundamental difference of opinion between those who support and those who oppose this Bill. Those who oppose it have the view that women should always be held more or less in tutelage, and that others should be in the main responsible for them. It appears to me that this view is opposed to the great facts of our existence, so far as we know them by experience, so far as Christianity teaches them. Women have the same origin as ourselves. They have and must have—I do not speak of the favoured few, but of the great majority as we find them in every land—the same chequered and difficult path through life. They have the same final destiny; if, as men have believed, there be a tribunal hereafter before which all must appear, women will stand there on the same terms as men, unsheltered and unaided they will be responsible for every act of their lives. A being of whom this can be said will, in the nature of things, gradually obtain a larger equality, and therefore exercise a wider influence. I believe such a result is necessary for the real progress of the race, and therefore whatever legislation may tend in any degree to bring about this result shall have at all times my humble support.

MR. BUTT: Sir, everyone in this House will be agreed that this is a very grave question. It introduces a great change into our Constitution, and it does more—it strikes a blow at those social relations between the sexes which have existed since the Creation, and which have entered largely into the foundation of all society. Another remark which I may assume will not provoke dissent is, that there never was a change in our political and social Constitution which would produce a larger effect on

the character of the female sex than the change we are asked to make. These considerations have led to the changes of opinion which we have seen, and probably to more that will appear on the division. This matter has been dealt with too lightly. I believe the conviction has been forced on the minds of many that it is no longer to be treated as the political plaything of some able and energetic ladies to whose importunities for a vote on this Bill we have all been subjected. I believe we all feel that it is a question now that vitally affects the social condition of the whole United Kingdom. Now, it is no light matter to say you strike a blow at the relations that have hitherto existed in every country in relation to sexes. There is no instance I can remember in the history of the world in which women have been permitted to take a direct part in the political affairs of the country. If you pass this Bill you are establishing the principle that women have a right to be placed on a level with man, and you must accept all the consequences of adopting such a principle—the most serious consequences — which will affect all the relations of society if you once establish it. This is not a Bill for the enfranchisement of women; it is a Bill for the enfranchisement of spinsters and widows. I heard the hon. Member for Tamworth (Mr. Hanbury) say doubts had been expressed whether the Bill did not enfranchise married women. Some, undoubtedly, would be enfranchised—namely, those whom, for many reasons, we would not wish to enfranchise, the women who are living apart from their husbands in lodgings and as householders. It might be contended that, wherever a "man" is mentioned in the Franchise Acts, if a husband and wife were to be treated as joint occupiers, the wife would be entitled to be registered. I hardly think the language would be open to that construction; but, certainly, this Bill would enfranchise the woman living apart from her husband, and I think it would enfranchise the woman having property of her own. But if you are to enfranchise spinsters and widows, why not married women? It seems to me that they are the people of all others whom, on the argument adduced for the Bill, you ought to enfranchise. Married women are the very persons whom the wives of England would entrust with their protection against injustice rather than spinsters and widows. And yet you say it is married women above all others whom you want to protect against their husbands, and against unjust legislation, which gives the husband what you consider an undue control over the property of the wife. Every woman whom you want to protect, but about whom you say you are not to legislate, these are the very women to whom you give no franchise at all. Married women would fare much better with the male sex than with the disappointed persons of their own sex. What would be the effect of this Bill on the character of the relation of the sex? You enfranchise unmarried ladies—I use the phrase "ladies" advisedly, because it would extend to very few of the poor—and you tell them they are to take a part in politics. If a woman is to have a vote—a meeting is called for the electors to decide who is to be the chosen party, whether it be Liberal or Conservative—will the woman to whom you have given the franchise, if she is a strong-minded woman, abstain from going to that meeting, at which she has as much right to be present as you have? She may go there and make a violent speech—for we have had a little experience of that kind of speechifying. She may indulge in very strong language towards a man, and is that man to observe the chivalry with which he now treats a woman, or is he to treat her as an equal, and is the sacred guardianship with which a woman is now fenced round, and which makes man submit to an insult rather than reply to her, to be observed when she is dragged into public conflicts? It was explained by the hon. and learned Member for Stockport (Mr. Hopwood) that a woman asks for no more courtesy than man shows to man. I say God forbid that a man should give and a woman should receive no more courtesy than one man gives to another. And it is exactly because this Bill will destroy that sacred halo which now surrounds her, will drag her into the turmoil of a canvass and a contested election, and place her on terms of equality with man, for the sake of woman generally, I trust no Bill of this kind will ever pass. Allusion has been made, and I am sorry for it, to some questions which have been discussed by ladies, and will again be discussed if the

Mr. Butt

Legislature declares they ought to discuss all political questions. I am sure ladies speak on these questions with the best and purest intentions; but let any man bring to his mind the woman he reverences and loves, would he not rather desire that she should be in her grave than hear her use some of the phrases which have been used at these meetings? Reference has been made to the example of municipal elections. That only proves the immense danger of establishing a principle even in respect to matters comparatively unimportant. We are told now that you must go on, and when the franchise is established for spinsters and widows, you will be told you must establish it for married women, and then you will be pointed out the example of America, where the women serve on juries. The fact is that in one sense women are equal with men. They are entitled to all the same privileges as men, and the argument is, then, why should not they have the same obligations, and why not serve on juries? Where is the argument to stop? You must end in admitting woman in every case. Why should Lady Burdett Coutts be excluded from the House of Lords? Why should not any strong-minded woman enter this House? As soon as you break down the good old principle that woman was made to be a companion and helpmate for man, and not to be his master, you must give way in everything else, and admit them wherever they wish to enter. By the ordinance of Providence woman was never intended for those things. By the arrangements of God man was intended for the busy walks of life, woman for the sanctuary of home, and for those offices far higher than man can perform in the busy scenes of life, and which make home and life holy. That is her place. Surely we may judge from all history, from everything we have seen of her strength and of her physical powers, that woman was not intended to be a soldier. I have as great an abhorrence of political Amazons as I have of the Amasons of Dahomey. Woman was made for other and higher things, and she cannot do both. No legislation you ever pass can make a woman a man in fitness for the work of life; but you may go the length of making a woman not a woman in the sacred sense in which we use the word, but something wholly different from the woman that is the glory and honour of the homes of England, aye, and of Ireland, as well in the homely cottage of the peasant as in the palace of the rich. The woman that confines herself to domestic life, who thinks her honour lies in doing her duty to her husband, and bringing up his children, and sharing all his labours and cares, may be turned into something different. Let her come to make speeches such as have been made, and never again would you restore her purity of thought, her innocence of heart, her affection for home, husband, and children. All these would be ruthlessly destroyed. These are the reasons why I was anxious to say a few words, because I have put my opposition to the Bill on grounds higher than some of my Predecessors who have spoken. I object to the Bill in the name of the Constitution; first, because it would introduce a power which has been already described as a hysterical power; I object to it in the name of society, because it shakes the relations on which society depends, and you cannot disturb these relations with impunity; and I object to it in the name of woman—and I speak now not for Irishwomen, for it would not be accepted by 99 out of every 100 women in my country, but for women generally—and, on their behalf, I ask you to leave them in disfranchisement, by which they are honoured, and to the chivalry of men, which they have always hitherto enjoyed.

MR. COURTNEY, who spoke amid continued interruption, said, that he could not but feel the force of the observations of the hon. and learned Member for Limerick, and the responsibility which he himself incurred in rising to meet his arguments. He would not, however, shrink from the task. The hon. Member was understood to ask whether there were not any drawbacks to the position which he admitted was now assigned to woman in this country? Even if her emancipation were accompanied by the risk of degradation, which had been anticipated, he would face it in consideration of the advantages to be gained. He contended that, under any circumstances, there was no fear that less courtesy would be shown from strong men to weak women than now, and that all the teaching of history was against the apprehensions of the hon. and learned Member for Limerick. He contrasted the position of woman in

Turkey with her position in this country, and urged that her emancipation in the West by the advance of Christianity had been a gradual process, so that even in this country her position now was far better than it had been. The arguments urged against her emancipation were formerly urged against her education, and the "blue stocking" was formerly exposed to the odium which was now reserved for the lady candidate for the suffrage. We were no longer afraid of educating women, and we found the more we educated them the higher became the standard of their character. He based his support of the Bill precisely on the ground on which the hon. and learned Member for Limerick had opposed it, and contended that, so far from injuring the character and position of women, it would improve them, and at the same time necessarily improve the character and position of men. The hon. Member was proceeding, when——

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow*.

House adjourned at ten minutes before Six of the clock.

HOUSE OF LORDS,

Thursday, 7th June, 1877.

MINUTES.]—PUBLIC BILLS—*First Reading*—Elementary Education Provisional Orders Confirmation (Felmingham, &c.) * (96), and *referred* to the Examiners; Quarter Sessions (Boroughs) * (99); Pier and Harbour Orders Confirmation (No. 3) * (100), and *referred* to the Examiners.

Second Reading—Law of Evidence Amendment * (63); Marriages Legalisation, Saint Peter's, Almondsbury * (85); Bar Education and Discipline (69); Metropolis Improvement Provisional Orders Confirmation * (72); Metropolis Improvement Provisional Orders Confirmation (Great Wild Street, &c.) * (81); City of London Improvement Provisional Orders Confirmation (Golden Lane, &c.) * (82); Greenock Improvement Provisional Order Confirmation * (83); General Police and Improvement (Scotland) Provisional Order Confirmation (Dumbarton) * (68); Customs, Inland Revenue, and Savings Banks *.

Committee—Game Laws (Scotland) Amendment (44-97).

Committee—Report—General School of Law * (31-98); Consolidated Fund (£5,900,000) *.

Third Reading—Provisional Orders (Ireland) Confirmation (Holywood, &c.) * (62), and *passed*.

Withdrawn—Inns of Court * (30).

GAME LAWS (SCOTLAND) AMENDMENT BILL.—(No. 44.)

(*The Earl of Rosebery.*)

COMMITTEE.

Order of the Day for the House to be put into a Committee, read.

Moved, "That the House do now resolve itself into a Committee on the said Bill."—(*The Earl of Rosebery.*)

THE DUKE OF ARGYLL said, that as he did not address their Lordships on the second reading of the Bill, they would perhaps permit him to say a few words before going into Committee—by doing so he hoped he might save the time of the House when in Committee. The Bill was one of considerable importance, and deserved attention both with respect to its principle and its details. Although, as their Lordships were aware, it referred immediately and solely to Scotland, it affirmed a principle of considerable importance, and one which, if accepted, was not unlikely to be extended to England. In this case a very important subject was dealt with by a Bill originated by a private Member of Parliament. There were occasions on which it was convenient that important subjects should be dealt with by private Members, because that course tended to withdraw them from the arena of Party politics, and such measures were more likely to receive their due consideration when there was an entire absence of Party feeling; and he thought that the Government had acted wisely in allowing this Bill to pass the House of Commons at the instance of a private Member (Mr. M'Lagan), who for many years had given great attention to the subject, and who had produced a Bill with which in general principle all were agreed. The great object of the Bill was to make the principle of the existing law of Scotland with reference to damage done by game more easily workable, and the law more easily adjudicated upon by the

Courts. The principle of the Scotch law with regard to damage by game was that a tenant might claim for damage if he could prove that there was an excess of game upon the land during his tenancy over what was upon it when he took the lease; and the object of this Bill was fair and equitable—namely, to establish that principle, and to enable Courts of Law to adjudicate upon disputes between landlord and tenant in respect to damages caused by game upon their farms upon that principle. It was obvious that when a man took a farm, he formed a certain notion of the amount of game there was upon it; and when he agreed to give a certain rent for that farm, he offered that rent knowing that a certain equivalent of rent would be paid according to the amount of game upon the farm. It was clear that if those conditions between landlord and tenant were seriously altered by any large quantity of game coming upon the farm subsequent to the date of the contract, the contract would not be an equitable one; and therefore the justice of the principle which gave to the tenant a claim for damages caused by such excess could not be disputed. But in the present condition of the law in Scotland, it was extremely difficult to carry into effect that principle, because there was no basis laid down in the lease by which to compare the amount of damage at one time with the amount at another. The tenant might say—"When I took the lease the question of game never entered into my consideration. The thing was not in my mind when I entered into the contract, and I am entitled to the full amount of the damage done by the game." Under the Bill, in future no tenant would be able to say that, because at the time of granting and taking the lease, both landlord and tenant would be obliged to take into consideration the amount of damage estimated to be caused to the estate by the game, and a clause would be inserted in the lease which would form the basis on which increased damage, if any, could be assessed. Without some such basis it was impossible for either landlord or tenant to estimate the amount of the excess damage. The principle, therefore, of the Bill was simply to establish the basis, and make it legally applicable for the future; and both landlord and tenant would be entitled in future to make terms for the payment of the excess of damage on that basis. In respect of this part of the Bill there was no departure from the general law of Scotland—it simply placed the matter in such a form that the Courts could adjudicate whenever the question arose, and gave a basis on which to assess the compensation. He desired to say a word upon what was termed freedom of contract. It had been represented that this Bill interfered with what was termed freedom of contract. Nobody was more in earnest than he was in supporting freedom of contract in any matter, and he would not give his consent to any measure which in the least degree interfered with it. But there was an important distinction here. It was one thing to say to the landlord and tenant —"You are bound to so and so in regard to game," and quite another thing to say to them—"You must make your bargain in such a manner and in such a particular form, in order that the amount of compensation may be ascertained;"—it being strictly within the purview of the law to grant compensation for the excessive damage done by game, it was no abandonment of the principle of freedom of contract to prescribe that this contract should be in a specified form. There was, however, another point in the Bill which was more a matter of detail, and in respect to which he had given Notice of an Amendment. He referred to the change in the presumption of law. At present the presumption of Scotch law was that the game belonged to the owner, unless there was a distinct contract that it should not. Now, the 4th clause of the Bill reversed that principle, and declared that in future the presumption of law should be that unless there was an express reservation it belonged to the tenant. Now, his objection to that proposition was that it was wholly unnecessary to the Bill, and that it appeared to give the tenant a right which, under the system of freedom of contract, had been invariably reserved to the owner; and it would raise in the minds of the tenants in Scotland a presumption that in future they would possess some rights which they had not now, but which their landlords had; and he considered that it was very inexpedient to lay down any such principle in an Act of Parliament. But beside his objection on the point of principle, he objected to the manner in which the clause was drawn,

inasmuch as it would render nugatory the substance of the contract; because where the lessor reserved to himself the winged game, and left the ground game to the tenant, the lessor did, in fact, retain to himself the sole right of killing game. Another objection as to which much might be said, was in regard to mountains and moors—where the whole side of a mountain was let in sheep farms; the presumption of law being in favour of the tenant, the effect would be that the landlord could not shoot his own grouse. In that way they would deal with a very large part of Scotland. He knew many large estates in Scotland where agricultural pasture land was comparatively small, and where the right of shooting was very large. He thought it only reasonable that where a man held a square mile of land he should still have the right of shooting over it. Again, there were many cases, as of lands owned by corporate bodies, where, although the lessors had no power of shooting, there was no intention of giving the right of shooting to the tenants; but this clause would transfer it to them. In his view there was a very great objection to that portion of the 4th clause which proposed to introduce a change in the Scotch law of presumption of ownership in this respect, and he proposed in the Committee to move an Amendment reserving to the landlord the presumption of ownership by common law. That was the only Amendment he proposed to move. The general scope and object of the Bill he considered very valuable, and in his opinion it was not inconsistent with the general law of Scotland.

THE EARL OF AIRLIE approved the principle of the Bill, which he thought would prove a very valuable measure. At present the tenants in Scotland had so much difficulty in establishing a claim for compensation, that it amounted to a denial of justice. The difficulty, of course, in proving to what extent the damage done by game had increased during 15 or 16 years, when the damage done at the earlier period remained an unknown quantity. This difficulty the Bill would remedy. He did not agree in the observations of his noble Friend who had just addressed their Lordships as to the reversing of the presumption of law provided in the 4th clause. In England, by the common law—and he believed by statute law also—the game was the property of the tenant, and the landlord had no right to shoot on land let by him unless in the letting he reserved that right. What the Bill proposed in that respect was, therefore, to put the Scotch tenant in the same position with respect to game as the English one, and of keeping the presumption of law as at present in favour of the landlord. He did not see why the landlord should reserve the whole of the game or none at all: he thought that it should be allowed to the landlord to reserve either a part or the whole. In respect to the damage done being limited to 40*s*., he thought it might operate rather hardly on some tenants.

THE EARL OF ROSEBERY said, he should resist the proposed Amendment of the noble Duke (the Duke of Argyll). He considered the apprehensions expressed by the noble Duke were unsubstantial bogies.

THE DUKE OF BUCCLEUCH was of opinion that the Bill as it now stood would, if carried, take away a very valuable right from the landlord and give it to the tenant. The Amendment of the noble Duke (the Duke of Argyll) was a most reasonable one. He did not think the tenantry of Scotland generally entertained any feeling on the subject.

THE MARQUESS OF HUNTLY declared that in the heart of Scotland, from which he came, the feeling on this question of the presumption of law was very strong, and he should vote for the Bill as it stood.

THE DUKE OF RICHMOND AND GORDON considered that it would not tend to create good feeling between landlord and tenant; to interfere would be presumption of law in favour of the landlord's ownership, and he therefore hoped the noble Earl who had charge of the measure (the Earl of Rosebery) would not resist the nobe Duke's (the Duke of Argyll's) Amendment.

THE EARL OF MINTO pointed out that the word "game" was defined in the 4th definition of the 3rd clause to be "all the animals enumerated in the Game Acts, or any of them." The Schedule, however, only gave the titles of a number of Statutes—so that those who turned to the Schedule would be very little wiser than before as to what "all the animals" were. He thought a distinct enumeration of the animals that

were to be considered "game" should be given in the Bill.

Motion *agreed to;* House in Committee accordingly.

Clauses 1 and 2 *agreed to.*

Clause 3 (Interpretation clause).

THE DUKE OF BUCCLEUCH took exception to the definition of the word "crop" including "grass, whether intended for hay or pasture," pointing out that if it so defined the definition would include all the moorlands in Scotland.

THE EARL OF AIRLIE suggested that "crop" should be defined as "cultivated grass land."

THE DUKE OF BUCCLEUCH agreed with the noble Earl; but, at all events, some words should be inserted by which it should be taken out of the category of permanent pasture. It might be restricted to enclosed land perhaps; but, at all events, it required explanation.

THE DUKE OF RICHMOND AND GORDON pointed out that there were large quantities of land in Scotland under cultivation, with a rotation of crops, and were not enclosed at all. He knew several farms in which there was not a single fence to be seen; and therefore his noble Friend who had charge of the Bill must be careful that there was no mistake made in this respect.

THE DUKE OF ARGYLL rather understood from his noble Friend that it was not intended to include mountain or moorland, but there was a great deal of both enclosed in Scotland, and therefore it would not do to restrict it to enclosed land.

THE DUKE OF BUCCLEUCH intimated that he would consider the matter, and introduce some Amendment on the Report.

LORD ABINGER said, he should like to know from the noble Earl who had charge of the Bill whether it was really intended to include the Highland moors, or whether land cultivated with grass and crops in rotation? As the words appeared in the clause in question they were liable to be interpreted in more than one sense, and it was desirable that upon such a subject as this they should be perfectly clear.

THE EARL OF ROSEBERY said, he did not suppose that any moor in Scotland was ever intended to bear crops, but that the provisions of the Bill would certainly apply to some portions of the borders of moors.

LORD ABINGER said, that as the clause stood it really did include moors, and therefore he hoped that some plain words would be put in to imply that it meant grass under cultivation.

THE LORD CHANCELLOR suggested that there should be words introduced into the clause defining it to be grass land for pasture in "open cultivated ground."

THE EARL OF AIRLIE said, he did not think that it would be advisable to use the words "upon open ground," because it might include the very land which it was wished to exclude.

LORD ABINGER was, on the contrary, of opinion that the words "open cultivated ground" would answer very well.

THE EARL OF ROSEBERY said, he would introduce an Amendment on the Report.

THE DUKE OF BUCCLEUCH assented, and said that would give the noble Earl an opportunity of exercising his ingenuity.

Clause *agreed to.*

Clause 4 (Right of killing game, &c., to be in the lessor, unless reserved by the lessor.)

THE DUKE OF ARGYLL moved an Amendment, having for its object to reverse this proposition, and of retaining the presumption of law as at present in favour of the landlord.

Amendment *moved,*

To leave out all the words down to ("of"), inclusive, line 21, and insert ("Where under any lease made subsequently to the commencement of this Act, or where by presumption of common law upon any land occupied under a lease made subsequently to the commencement of this Act, the lessor shall reserve or retain,") —(*The Duke of Argyll.*)

THE EARL OF ROSEBERY was desirous of stating the reasons why he thought the Amendment both inexpedient and unnecessary. In the first place, he did not see the dangers which the noble Duke had shadowed forth, because the noble Duke knew very well that in 99 cases out of 100 the right of killing game would be reserved by the lessor, and therefore the right which the clause conferred on the tenant would be merely nominal. Therefore, he thought the bogies raised by the noble Duke

were as unsubstantial as could well be imagined. When they went further, and looked at the condition of things in England, they found in that country, where the presumption was that the tenant was the owner of the game, no particular evil resulted; and he could not see how in Scotland, where the tenant invariably obtained the security of a 19 years' lease, there could be reason to suppose that any inconvenience could arise from the change. Beyond that, there was some little advantage in having uniformity between England and Scotland in this respect; and, moreover, if the noble Duke's Amendment were carried, he did not think the measure would be at all successful in allaying that irritation and soreness which were felt by the tenant-farmers of Scotland on this subject. It must be recollected that the Scottish farmers were an intelligent and enlightened class—at the same time, they had a strong feeling on this question. What, then, would be their feeling when they saw a Bill come up from the House of Commons with a clause giving the tenant the presumptive ownership of the game, and which placed them on an equal footing with English tenant-farmers, if the House of Lords rejected that clause, and left them, so far from being placed on a footing of equality, in a position inferior to that of the English farmer? Did their Lordships think that a Bill which contained no such provision as this would be ever likely to satisfy the tenantry of Scotland? He assured them that this was a great grievance to the farmers in Scotland, and he should ask their Lordships to divide on the Amendment.

THE DUKE OF BUCCLEUCH said, that he was very sorry to find that his noble Friend opposite objected to the very reasonable Amendment of the noble Duke (the Duke of Argyll). He seemed to think nothing whatever of taking away a very valuable right from one body of men and giving it to another. Now, he (the Duke of Buccleuch) was inclined to think that such a proceeding was not in the least likely to promote good feeling between the two classes. He thought the Amendment of the noble Duke extremely fair, and one that would commend itself to their Lordships, because there was nothing whatever in it to prevent the tenant from going to a Court of Law for the purpose of obtaining compensation for any damages sustained by him from his landlord's game.

THE MARQUESS OF HUNTLY assured the House that in the district from which he came the tenants were very loud in their complaints that by the presumption of law the right to kill game was with the landlords, and they asked why they should not be placed in the same position as the farmers of England. He thought that by making this concession they would do away with much of the agitation which existed in Scotland. With reference to the lessor not having a right to shoot upon the land, he thought that many instances existed where owners of common pasture land had not the right to shoot over it; and he could give the noble Duke some strong instances where even lords of manors, or as they were called in Scotland "superiors," did not possess the right. He thought that could easily be remedied by inserting a rider to the clause, to show that where the landlord had not the right of shooting on his own land, some exception might be made, and that could be done on Report.

THE DUKE OF RICHMOND AND GORDON said, that the noble Marquess (the Marquess of Huntly) had based his argument upon the statement that the feeling amongst the tenantry in his part of the country on this subject was very great; but he thought he could show his noble Friend that no such agitation existed in that part of Scotland with which he (the Duke of Richmond and Gordon) was acquainted. The noble Marquess must, therefore, forgive him for asking him to confine his remarks to that particular portion of the country with which he himself was acquainted. The noble Marquess also said that his friends complained that they were not placed upon a position of equality with their friends in England; but he would remind the noble Marquess that in England there was no such Bill at all, and therefore if the Scotch tenantry were legislated for, they would be placed in a better position than their friends in England. He entirely agreed with the Amendment, and he hoped their Lordships would pass it. In his opinion, the tenants would have nothing to be grateful for in respect of the provision against which the Amendment was directed; because the boon which it professed to give with one hand it immediately took

away with the other, by giving power of reservation to the landlord. He thought it would be far better to leave the presumption of the law as it stood. There was no necessity for making any such alteration. Neither did he think it would have any effect upon the Bill. If it did he should be sorry to vote for it; because, as he said before, the Bill was an honest attempt to remedy an evil that at present existed. He hoped that the noble Earl would assent to the Amendment.

THE EARL OF CAMPERDOWN supported the clause as it stood, on the ground that the presumption of law ought to be in favour of the tenant—it being but natural to suppose that where a landlord let his land he let it for all purposes whatever, and that if he did not, he would make a special reservation. The merit that the Bill presented in his eye was that it took away the principle of uncertainty which at present existed about the damage caused by the game, and reduced it to a matter of agreement between the landlord and tenant. Under this Bill the tenant would know exactly what he had to expect, and on what ground he could obtain damages for the compensation committed by game. It appeared to him to be very desirable both for the landlord and the tenant that the basis of the agreement should be distinctly stated in the contract.

THE DUKE OF ARGYLL said, he was glad his noble Friend in charge of the Bill had admitted that it would make no great difference whether the presumption of ownership was in the landlord or in the tenant, because in Scotland it was the universal practice for landlords to reserve the game. Therefore, so far as the operative part of the Bill went, it would make no difference whatever. There might be something to be said for the presumption of ownership being in the tenants in respect of arable land, and that they should have the common law right to kill ground game on that description of land; but in regard to the great districts of the country where the mountains were let in sheep runs, it was only fair and proper that the presumption of law with respect to game should be that it belonged to the landlord. For his part, he should prefer the question of the presumption of the law not being dealt with at all by this Bill, but being left entirely to the landlords and tenants as a matter of contract.

EARL FORTESCUE said, that as a matter of expediency it would not be well for a House which was often described as a House of landlords to reverse a decision come to by the other House of Parliament in favour of the Scotch tenant, which only extended to him a legal presumption long enjoyed by the English tenant.

THE EARL OF ROSEBERY said, that though the provision was not vital to the Bill, he had again to express a hope that the noble Duke would not press his Amendment, because if it were carried it would be calculated to excite a discontented feeling on the part of Scotch tenants. The question involved was one of principle, and therefore he felt bound to take a division upon it.

On Question, that the words proposed to be left out stand part of the clause? Their Lordships *divided*:—Contents 34; Not-Contents 73: Majority 37.

CONTENTS.

Devonshire, D.	Aberdare, L.
	Beaumont, L.
Bristol, M.	Boyle, L. (*E. Cork & Orrery.*)
Ripon, M.	Carysfort, L. (*E. Carysfort.*)
Airlie, E. [*Teller.*]	Coleridge, L.
Camperdown, E.	Dinevor, L.
Dartrey, E.	Dorchester, L.
Ducie, E.	Elgin, L. (*E. Elgin and Kincardine.*)
Fortescue, E.	Hammond, L.
Granville, E.	Keane, L.
Kimberley, E.	Lyttelton, L.
Lovelace, E.	Meldrum, L. (*M. Huntly.*)
Minto, E.	Mostyn, L.
Morley, E.	Rosebery, L. (*E. Rosebery.*) [*Teller.*]
Cardwell, V.	Selborne, L.
Halifax, V.	Strafford, L. (*V. Enfield.*)
Leinster, V. (*D. Leinster.*)	Truro, L.
Powerscourt, V.	

NOT-CONTENTS.

Cairns, L. (*L. Chancellor.*)	Belmore, E.
	Bradford, E.
	Cadogan, E.
Marlborough, D.	Cowper, E.
Richmond, D.	De La Warr, E.
Somerset, D.	Doncaster, E. (*D. Buccleuch and Queensberry.*)
Hertford, M.	Haddington, E.
Northampton, M.	Harrowby, E.
Amherst, E.	Jersey, E.
Beaconsfield, E.	Mansfield, E.
Beauchamp, E.	Mar and Kellie, E

Morton, E.
Nelson, E.
Powis, E.
Redesdale, E.
Selkirk, E.
Stanhope, E.
Strange, E. (*D. Athol.*)
Sydney, E.
Wharncliffe, E.
Wilton, E.

Eversley, V.
Hawarden, V.
Sidmouth, V.
Templetown, V.

Abercromby, L.
Abinger, L.
Balfour of Burleigh, L.
Blantyre, L.
Bolton, L.
Brodrick, L. (*V. Midleton.*)
Castlemaine, L.
Chelmsford, L.
Clanbrassill, L. (*E. Roden.*)
Clonbrock, L.
Cloncurry, L.
Colchester, L.
Colville of Culross, L.
Cottesloe, L.
de Ros, L.
Digby, L.
Dunmore, L. (*E. Dunmore.*)
Elphinstone, L.
Foley, L.
Forbes, L.
Foxford, L. (*E. Limerick.*)
Gormanston, L. (*V. Gormanston.*)
Hampton, L.
Harlech, L.
Hartismere, L. (*L. Henniker.*)
Heytesbury, L.
Lovat, L.
Oxenfoord, L. (*E. Stair.*) [*Teller.*]
Sackville, L.
Saltersford, L. (*E. Courtown.*)
Silchester, L. (*E. Longford*)
Sinclair, L.
Skelmersdale, L.
Stanley of Alderley, L.
Stratheden and Campbell, L.
Strathspey, L. (*E. Seafield.*)
Sundridge, L. (*D. Argyll.*) [*Teller.*]
Talbot de Malahide, L.
Winmarleigh, L.

Words *struck out;* then Amendment put, and *agreed to;* words *inserted.*

THE DUKE OF RICHMOND AND GORDON inquired what was the meaning of the words in the clause "harboured on the lands of the lessor?" Was the phrase known to Scotch law?

THE EARL OF ROSEBERY explained that the words were put in for the purpose of providing a remedy for the case where the lessor who had reserved the game kept up a large head of game in the woods and coverts which came out and fed upon the crops of neighbouring farms which did not belong to him.

After some discussion and explanation—

THE LORD CHANCELLOR said, that after the discussion he really did not understand himself what interpretation to put upon the word. It seemed to him to have been put in for the purpose of enabling the landlord to protect himself, and he suggested whether the better way would not be in such a case that he should give the tenant leave to shoot the game.

LORD ABERDARE said, that he understood the word in the sense intended by the promoter of the Bill; but it was quite clear that educated and sensible men entertained quite a different opinion upon it.

After further conversation,

THE EARL OF ROSEBERY said, he would attempt to make the matter clear on the Report.

Clause, as amended, *agreed to.*

Clause 5 (Lessee being of opinion that damage to his crops exceeds the sum mentioned in his lease, to intimate same to lessor) *agreed to.*

Clause 6 (Provision as to actions for damage between lessor and lessee).

LORD LOVAT moved, after line 16, to insert as sub-section 2—

"No such action shall be competent in regard to damage done to turnips or other root crop between the thirtieth of November and the first of April in any year, or done to crops of any kind which with ordinary diligence might have been reaped, raised, or removed before the damage was done."

VISCOUNT HALIFAX pointed out that in the North some crops had to be of necessity left out in the fields till very late in the year.

LORD ABINGER supported the Amendment. He thought that those who left crops out, which might with ordinary diligence have been got in, should not be paid compensation if damage was done to them.

THE LORD CHANCELLOR also thought that if crops were left out longer than was necessary the occupier should not be compensated for damage.

THE EARL OF DUNMORE thought the principle of the Amendment was a good one, but that it might operate very hardly upon the farmers of the North of Scotland, and there were portions of the Highlands where they could not get the crops in early.

Amendment (by leave of the Committee) *withdrawn.*

Clause amended and *agreed to.*

Clause 7 (Provisions as to arbitration for settling claims of damage between lessors and lessees).

THE EARL OF SELKIRK moved to transpose Clauses 6 and 7, page 3, by placing Clause 7, as amended, in place of Clause 6.

Clause 6 (now 7.) to be amended by leaving out—

("When a lessor and lessee agree in writing to refer to arbitration any claim of damage arising under this Act") and inserting ("In all cases where there is a clause in a lease providing for the settlement of disputes by arbitration the case shall be at once referred to the arbiters, as pointed out in the lease; and where no such clause exists in the lease it shall be competent for a lessor or lessee to refer such claims for compensation to arbitration, in which case.")

THE EARL OF ROSEBERY opposed the Amendment as quite unnecessary, and contended that it would be better that all cases should be dealt with under the one uniform system of arbitration provided by the Bill.

On Question? *resolved* in the *negative*.

THE EARL OF ROSEBERY moved, at the end of the clause to add as new sub-section—

"5. Any notice under this section shall be in writing and may be served on the person to whom it is to be given either personally or by leaving it for him at his last known place of abode in Scotland, or by sending it through the post in a registered letter addressed to him there; and if so sent by post it shall be deemed to have been served at the time when the letter containing it would be delivered in ordinary course, and in order to prove service by letter it shall be sufficient to prove that the letter was properly addressed and posted and that it contained the notice to be served."

Motion *agreed to*; sub-section added.

Clause, as amended, *agreed to*.

Clauses 8 to 11 *agreed to*, with Amendments.

Clause 12 (Leases or agreements about game existing at passing of this Act not affected by it) *agreed to*.

THE DUKE OF BUCCLEUCH moved, after Clause 12, to insert the following Clause:—

"Nothing in this Act shall prevent a landlord and tenant from entering into and carrying into effect any such agreement as they think fit, or shall interfere with the operation thereof."

THE DUKE OF ARGYLL hoped that his noble Friend would not press his Amendment, as it was really not necessary for the purpose of securing the rights of landlords, and if agreed to it might make the Act useless.

THE EARL OF MINTO quite agreed that the integrity of freedom of contract ought not to be touched. He should, however, vote for the Amendment.

THE EARL OF ROSEBERY said, that if the Amendment were carried the Bill would be useless, for it would cut away the very purpose of the Bill, which was to establish some fixed and known basis on which claims for compensation might be made.

THE DUKE OF RICHMOND AND GORDON said, that nobody held more sacred freedom of contract than he did, but, as the noble Duke opposite had explained on going into Committee, this Bill really did not interfere with it. At present farmers were entitled to a certain amount for damage done to their crops by game, and this Bil lonly established a basis on which they could assess the damage. He joined the noble Duke opposite in urging his noble Friend not to press his Amendment.

THE DUKE OF BUCCLEUCH said, that in deference to the opinion of his noble Friend he would withdraw the Amendment; but still he was not quite satisfied with the clause, nor did he think that under it freedom of contract would be safe.

Amendment (by leave of the Committee) *withdrawn*.

Clause *agreed to*.

Schedule I., which sets forth the titles of the various Acts relating to game in Scotland from the Act passed in the year 1587 "Aganis slayeris of deir and utheris wyld beastis," to the Act for the Prevention of Poaching, 25 & 26 *Vict.*, c. 114.

THE EARL OF MINTO suggested that the animals intended to be included in this Bill should be set forth in a Schedule.

THE DUKE OF ARGYLL wished for some explanation about the Schedule, which was merely a list of Acts of Parliament, some of which were obsolete.

THE EARL OF ROSEBERY explained that he was anxious that there should be a list of game in the Schedule, but it was extremely difficult to obtain a good definition other than in the Acts referred to; which had been retained, because there were some provisions under them they wished to continue.

THE LORD CHANCELLOR pointed out that the Acts in question would remain in force though not in the Schedule.

The Report of the Amendments to be received on *Friday* the 22*nd instant;* and Bill to be *printed,* as amended. (No. 97.)

BAR EDUCATION AND DISCIPLINE BILL—(No. 69.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR, in moving that the Bill be now read the second time, said, its purpose was to supply two great wants in the present system—the first, the want of a uniform system with regard to legal education for the Bar and admissions to the Bar; the other, a better regulated mode of applying discipline to those who had been already called to the Bar. The Inns of Court had, of late years, made great advances towards instituting a system of legal education. They yearly contributed considerable sums for that purpose, and they had voluntarily chosen a Committee from the various Inns, on whom they had imposed the duty of superintending the education for the Bar. But that had all been done voluntarily; there was nothing to compel the continuance of that system—nothing to prevent anyone of the Inns from withdrawing from it—nothing to make contributions compulsory; the system depended entirely on the voluntary action of the Inns of Court. The Inns of Court were willing that that state of things should be improved; and what they proposed was that, following in some degree the example of the Medical Profession, there should be a general Council of Education chosen from the Inns of Court and partly nominated by the Crown, to consist of 30 Members — six appointed by the Crown and 24 by the Inns of Court — each Inn sending six members. Provision was made for the nomination and election of those Members and for their retirement by rotation. It was proposed that the Council should have cognizance of, and jurisdiction in, the following matters:—the legal education and examination of students of any of the four Inns of Court desiring to be called to the Bar or to practise under the Bar;—the censuring and suspending from practice of barristers or persons practising under the Bar, and the disbarring of barristers—all matters which might be referred to them by the Bench of any of the Four Inns of Court for advice or decision. With regard to the education, it was provided that the Council should cause examinations to be held of all Members of the Inns of Court desiring to be called to the Bar, and should appoint Examiners for that purpose; and the Council was to grant a certificate to every person who should pass a satisfactory examination; it would not be lawful for the Benchers of any Inn of Court to call to the Bar any student admitted after the year 1871 who had not obtained a certificate from the Council that he had satisfactorily fulfilled the conditions required by their regulations to qualify him to be called to the Bar. As to debarring or censuring existing members, that power was taken from the Masters of the Bench of the several Inns and vested in the general Council, with an appeal to the Supreme Court of Judicature. The Council would have power to take evidence on oath, if they thought fit, and to require the attendance of witnesses, and the production of documents. This, however, was not to interfere with the internal jurisdiction of the Benchers within their several Inns. With regard to the funds which would be at the disposal of the Council, they would be derived in the first instance from contributions from the several Inns, in settled proportions, but not to exceed in the aggregate £4,600, and of fees on admission of each student; secondly, from fees and payments received by the Council under any rules or regulations to be made by them. These fees on admission, taking the year 1876 as an average, would amount to £1,465, and the fees for lectures, taking the same year, would be £2,063; so that the Council would have an income of £8,128; which would be sufficient for the present system of the Professors and examinations, and for the expenses of the Council, secretary, &c., leaving £1,500 for prizes. He thought such an arrangement would place the system of legal education for the Bar on a satisfactory footing for the present; and, judging from what had

happened in the past, he had no doubt, if a still larger sum than that he had mentioned could be usefully expended, the Inns of Court would be willing to supply further funds. Such were the provisions of the Bill. As their Lordships would see, there stood on the Notice Paper two other Bills which his noble and learned Friend (Lord Selborne) had introduced, and had carried through the most important stage, which dealt with the same subject, and went much further than this Bill. With regard to those Bills he would only say, even if he took the view which his noble and learned Friend took, and desired to see a measure going so far ultimately become the law of the land—and he did not go quite so far—he should still be glad to see a limited measure, such as the present, adopted. It was a step in the direction in which his noble and learned Friend wished to go, and it would do much to add to the arrangements which now existed for improving legal education and the discipline of the Bar. He moved that the Bill be read a second time.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

LORD SELBORNE said, he certainly did regard this Bill as falling very far short of such a measure as, he was convinced, must be adopted, at some time or other, for the promotion of legal education. But if he was unable sufficiently to interest the whole of the Legal Profession in a larger, wider, and more liberal scheme than the one now proposed, he thought the wise course for him to adopt would be to acquiesce, for the present, in what could now be obtained, trusting to the insight and liberality of the great Profession to which he belonged to carry forward hereafter the measures which he had proposed — provided the views he entertained were right. In the present Bill it was a great advantage that the functions now exercised by the Inns of Court, with regard to the admission of students to the Bar, their education and examinations, and also with regard to the discipline of the Bar itself, were at once and for ever to be placed under the guarantee and security of public law. Still, he was disappointed that the Inns of Court, when making up their minds to this great step, had not gone further, and placed themselves in the honourable and great position of a Legal University, as was recommended to them by his noble and learned Friend himself some years ago, as well as by the Royal Commissioners, and which measure he had no doubt would, at some time, follow upon this first step. It was also satisfactory that not only nominees of these four Bodies; but, in addition to them, independent persons to be nominated by the Crown, would henceforth constitute a Council of Legal Education and Discipline. He must protest against the extreme narrowness of the view expressed in the provision that the business of the Council should only be to attend to the legal education and examination of such students of any of the Four Inns of Court as desired to be called to the Bar, or to practise under the Bar. The great point of difference between this scheme and his own—a difference which he hoped would be finally decided in favour of his own—was that he desired a system of legal education that should be open to all Her Majesty's subjects, whether intending to be called to the Bar or any other branch of the Legal Profession, and whether members of the Four Inns of Court or not. That he considered was the only system of legal education worthy of this country, and calculated to do great good. But in the meantime he was willing that this Bill should pass, and the experiment of its working be tried. The consequence was that he must with reluctance leave to others who might come after him to carry out the larger scheme that he had proposed. The two Orders of the Day in his name—the Inns of Court Bill and the General School of Law Bill, for Committee—must be immediately dropped as the necessary consequence of the second reading of this Bill. He, however, should ask their Lordships first to allow the General School of Law Bill to pass through Committee *pro formâ*, in order that he might introduce Amendments, so that it might remain on record in the shape he desired to submit it to their Lordships' House.

Motion *agreed to*; Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow*.

ELEMENTARY EDUCATION PROVISIONAL ORDERS CONFIRMATION (FELMINGHAM, &c.) BILL [H.L.]

A Bill to confirm certain Provisional Orders made by the Education Department under "The Elementary Education Act, 1870," to enable the School Boards for the United District of Felmingham and Kelvedon Hatch to put in force "The Lands Clauses Consolidation Act, 1845," and the Acts amending the same—Was *presented* by The LORD PRESIDENT; read 1ª; and *referred* to the Examiners. (No. 96.)

INNS OF COURT BILL [H.L.]

Order of the Day for the House to be put into a Committee read, and *discharged;* and Bill (by leave of the House) *withdrawn.*

GENERAL SCHOOL OF LAW BILL [H.L.]

House in Committee (according to order); Bill *reported* without amendment; amendments made; and Bill to be *printed* as amended. (No. 98.)

House adjourned at a quarter before Eight o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 7th June, 1877.

MINUTES.] — SELECT COMMITTEE — Irish Land Act, 1870, Mr. Downing *discharged*, Sir Joseph M'Kenna *added.*

PUBLIC BILLS — *Ordered* — *First Reading* — Emly Cathedral, &c.* [189].

First Reading — Solicitors Examination, &c.* [190].

Second Reading—Removal of Wrecks* [181].

Select Committee—New Forest* [150], *nominated.*

Committee—*Report*—General Police and Improvement (Scotland) Act (1862) Amendment* [164].

Considered as amended — Prisons [121], *debate adjourned.*

Third Reading—Reservoirs* [132], and *passed.*

QUESTIONS.

JOINT STOCK COMPANIES—LEGISLATION—"TWYCROSS v. GRANT."—THE HUMBER IRONWORKS COMPANY.

QUESTIONS.

SIR EDWARD WATKIN asked Mr. Attorney General, Whether his attention has been called to the opinion expressed by the Lord Chief Justice of England and to the words he used in the hearing of the case of Twycross *v.* Grant, reported in the "Times" of May the 18th, as to the practice of producing an artificial premium, by purchases on the Stock Exchange before allotment, upon bonds, shares, and stocks issued under prospectus, and of thereby inducing the public to apply for the securities offered —the words reported to have been used by the Lord Chief Justice being—

"The fact that the practice was usual does not affect its morality. What I allude to is not anything in the nature of bonâ fide dealings, but purchases on the Stock Exchange for the purpose of raising the shares to a fictitious value, and in order to induce others to buy them, and then when they have bought, they find the shares worthless in their hands. That is really getting money by means of false pretences;"

and, whether it is his intention to advise Her Majesty's Government to take legal proceedings against any of the parties to the transactions disclosed in the Report of the Select Committee on Foreign Loans, and who were guilty of obtaining money from many thousand persons by means of the "false pretences" described by the Lord Chief Justice?

SIR ROBERT PEEL: I will also ask Mr. Attorney General, Whether his attention has been called to the opinion expressed by the Lord Chief Justice of England, and to the words he used in the hearing of the case of Twycross *v.* Grant, reported in the "Times" of May 18, as to the practice of producing an artificial premium by purchases on the Stock Exchange before allotment, upon bonds, shares, and stocks issued under prospectus, and of thereby inducing the public to apply for the securities offered, the words reported to have been used by the Lord Chief Justice being—

"The fact that the practice was usual does not affect its morality. What I allude to is not anything in the nature of bonâ fide dealings, but purchases on the Stock Exchange for the purpose of raising the shares to a fictitious value and in order to induce others to buy them, and then when they have bought, they find the shares worthless in their hands. That is really getting money by means of false pretences;"

and, whether it is his intention to advise Her Majesty's Government to take legal proceedings against any of the parties who have been guilty of obtaining money from many thousand persons by means of the "false pretences" described by the Lord Chief Justice, more particularly

with reference to transactions disclosed in the "Railway News" of March 24, 1876, with respect to the Humber Ironworks Company, capital £1,000,000, E. W. Watkin, Chairman, on behalf of which scheme the promoters appealed to the public through the Stock Exchange, promising a dividend of 20 per cent and upwards to the shareholders, the shares of the Company being quoted 1½ to 2 premium before a single share had been allotted; whereas in a few months the whole of the money subscribed by the public disappeared except a trifle?

SIR EDWARD WATKIN: Sir, before the hon. and learned Gentleman the Attorney General answers my Question I am sure the House will allow me the indulgence of a few words in reference to the Question of the right hon. Baronet the Member for Tamworth. I only arrived from Ireland early this morning, and did not see the Question of the right hon. Baronet till some time this afternoon. Therefore, I received no Notice of the right hon. Gentleman's intention to put his Question, which I am sure I am within Parliamentary language in describing as not a little offensive. I therefore had no opportunity of showing the right hon. Baronet that he was grossly in error, that he had done me great injustice, wasted the time of the House, and extended a practice which I think you, Sir, will see is not entirely to the credit of the House—namely, that of bringing forward personal matters and arousing personal animosities in the shape of asking Questions. Now, Sir, the facts are very simple, and they are perfectly well known. If any hon. or right hon. Member will do me the favour of going to the Library and inspecting *The Times* of the Autumn of 1869, he will find the report of the trial, extending over three days, to which the right hon. Baronet refers; that a jury was empanelled to try whether I, the Member of this House alluded to, had done anything dishonourable, or fraudulent, or unfair; that after three days' examination I positively refused to allow the case to go to a referee, and insisted on my right to have the case tried by a British Judge and a British jury. The jury were unanimously of opinion that no case whatever had been made out, and the person who pursued me—a small attorney in Yorkshire—preferred to be non-suited rather than take the verdict of the jury. If the right hon. Baronet will do me the further justice of referring to the remarks of the Lord Chief Justice, who tried the case, he will find that his Lordship distinctly stated that no imputation rested upon me, and that the misfortunes of the undertaking—for unfortunate it was—were in consequence of no fault of mine, but happened mainly because the advice which I gave was not taken; and I think he will do me the justice of admitting that the Question is not fair, is not well founded, is libellous—that it is such a Question as a man would not put to me out of this House without receiving such a reply as the forms of this House will not permit me to make.

THE ATTORNEY GENERAL: My attention has been called by the Question of the hon. Member for Hythe, as well as by that of the right hon. Baronet the Member for Tamworth, to the observations of the Lord Chief Justice in the case of "Twycross *v.* Grant." I understand the Lord Chief Justice, in the words made use of, to condemn the practices referred to as dishonest and immoral; but I do not think he commits himself to an opinion that persons resorting to these practices are in all cases liable to criminal prosecution. It is no part, I conceive, of my duty as Attorney General to initiate criminal proceedings against the promoters of Companies. In the cases referred to by the hon. Member for Hythe and the right hon. Baronet the Member for Tamworth, my advice has not been asked by Her Majesty's Government, and unless it is asked I have no intention of volunteering a communication of my opinion.

SIR EDWARD WATKIN: I beg to give Notice that on going into Committee of Supply I will call the attention of the House to this very important question and move a Resolution.

ARMY—THE ROYAL MILITARY ASYLUM.—QUESTION.

GENERAL SIR GEORGE BALFOUR asked the Secretary of State for War, To explain whether any and what changes have been made in the rules regarding age for the admission of boys into the Royal Military Asylum, and as regards their selection from the sons of men after their fathers have left the Army, also in the cubic space for dormi-

tories, which was accepted on the recommendation of the Royal Commission of 1870 on Military Education; and, whether he would lay upon the Table of the House the documents which will show on whose advice, and for what objects or reasons, these changes have been made?

MR. GATHORNE HARDY: The minimum age for the admission of boys into the Royal Military Asylum has been raised from seven to ten years of age. When boys were admitted at the earlier age a large proportion remained at the school from six to eight years, to the prejudice of many deserving cases, excluded owing to the slow rate at which vacancies occurred. No change has been made in the rules regarding the selection of boys; but, as the result of the change in age above referred to, the Commissioners have been able to extend the area of selection. The cubic space afforded to boys in the dormitories is as follows:—120 boys, 590 cubic feet each; 364 boys, 468 cubic feet each. Certain alterations in the system of school management having admitted of large reductions in the working expenses, I deemed it advisable to utilize the savings in enlarging the scope of the institution, without imposing any additional burden on the Exchequer. Want of sleeping accommodation has hitherto prevented the proposal being carried out in its entirety; but the Commissioners having inspected the dormitories and satisfied themselves that they were well ventilated with louvre panes and air-shafts, sanctioned the addition of one bed in each room of 13 boys, whereby an increase of 26 boys was effected without alteration of the buildings, raising the total strength from 458 to 484. The object of these changes is clear—namely, to educate at the public expense, without exceeding the Parliamentary grant, as many children of deserving soldiers as possible; and they have been effected with the knowledge and concurrence of the Commandant of the Asylum and of the Commissioners, under my sanction. I do not propose to lay any documents on the Table of the House.

AFRICA (WEST COAST)—THE GAMBIA—APPOINTMENT OF CHIEF JUSTICE.

QUESTION.

MR. HOPWOOD asked the Under Secretary of State for the Colonies, If he would state what was the date of the appointment of Mr. Adolphus as Chief Justice of the Gambia; whether the merchants and residents in that Colony had not in a Despatch or Letter, as far back as April 1876, strongly expressed the necessity for a properly qualified lawyer to fill the appointment; whether he would lay any such Despatch or Letter as exists upon the Table of the House; if he would state the nature of the judicial experience of Mr. Adolphus referred to by Lord Carnarvon, in his Despatch of 27th February last to Governor Kortright, and what was the legal appointment held previously by Mr. Adolphus; and, whether, as judge, he would not now have the highest powers over liberty, life, and property in the Colony?

MR. J. LOWTHER: As regards the first of the Questions put by the hon. and learned Gentleman, I must point out that there is no such appointment as Chief Justice of Gambia, but that the post held by Mr. Adolphus is that of Chief Magistrate, to which he was appointed by a despatch dated October 16, 1876. Now, as to a communication from the Colony on the subject, a letter was received bearing the date of April 29, 1876, in which complaint was made of the Settlement of the Gambia being made a dependency of Sierra Leone, and among other matters objection was made to the judicial business of the Colony being left in the hands of a Chief Magistrate, and that an appeal lay to Sierra Leone, instead of the Court of Queen's Bench. I shall be glad to show the hon. and learned Gentleman a manuscript copy of the letter in question, and if he thinks it worth while incurring the cost of printing it, I shall be ready to carry out his wishes. Mr. Adolphus occupied for 12 years the position of Magistrate of the Northern Division of British Honduras, during which time he discharged his duties to the entire satisfaction of the Colonial Government. As to whether he will now have the highest powers over liberty, life, and property, I find that no sentence exceeding 12 months' imprisonment with hard labour can be carried out until approved by the Administrator of the Government, and in capital cases a further reference must be made to the Governor in Chief and Executive Council at Sierra Leone. In any case, moreover, of exceptional im-

portance there is power to substitute for the Chief Magistrate a Judge or barrister specially commissioned for the occasion. There is also an appeal to the Supreme Court of Sierra Leone in civil cases above £50.

CRIMINAL LAW (IRELAND)—CASE OF DANIEL FORAN.—QUESTION.

THE O'DONOGHUE asked the Chief Secretary for Ireland, If he will place upon the Table of the House a Copy of the Memorial presented to the Lord Lieutenant praying for a mitigation of the sentence passed upon Daniel Foran by Mr. Justice Keogh at the last Assizes held at Tralee?

SIR MICHAEL HICKS-BEACH: No, Sir, I do not feel able to lay on the Table of the House the Memorial asked for. It would be contrary to the rule of the House to do so, and its publication would give an entirely erroneous impression.

DOMINION OF CANADA—EMIGRATION OF PAUPER CHILDREN.—QUESTION.

MR. MORGAN LLOYD asked the President of the Local Government Board, Whether his attention has been called to a Report from Miss Rye, in reply to a Report of Mr. Doyle respecting the emigration of pauper children to Canada; whether he has received any further communication from Mr. Doyle upon the subject; and, whether, if so, he will lay a Copy of such communication upon the Table of the House?

MR. SCLATER-BOOTH, in reply, said, his attention had been called to Miss Rye's Report, which was of a voluminous character, and which had been printed, but, he believed, had not been published. He had also received some observations from Mr. Doyle in answer to that Report. It was not his intention to lay that document on the Table of the House; but if it were true, as he had been informed, that Miss Rye's Report had been circulated among Guardians in this country, there would be no objection to its production if the hon. Member moved for it.

ARMY—TRANSPORT AND HOSPITAL SERVICES.—QUESTION.

SIR HENRY HAVELOCK asked the Secretary of State for War, Whether it is the case that trained soldiers, in considerable numbers, are being taken from the Infantry and Cavalry for Transport and Hospital purposes, that is, to be instructed as drivers and sick-bearers; and, whether he will consider the advisability of directing the Committee of General Officers on Commissariat Organization, now sitting, to consider and report upon a normal establishment of transport and sick-carriage in proportion to the requirements and numbers of all arms; and on the best mode of expanding that nucleus on emergency by volunteering from the Militia, or other sources arranged beforehand, without diminishing the Line?

MR. GATHORNE HARDY: A certain number of men of Infantry battalions are being trained as drivers of regimental transport for their own regiments only, and not for hospital purposes. With regard to the second part of the Question, Committees have already reported upon a normal establishment of transport and sick-carriage and on the best mode of expanding that nucleus. I may add that certain Infantry battalions at Aldershot have been ordered to select men at the rate of two per company to be instructed as regimental stretcher-bearers in connection with the Army Hospital Corps.

THAMES AND SEVERN NAVIGATION. QUESTION.

MR. MARLING asked the President of the Local Government Board, Whether he intends to place before the Lords' Committee now inquiring "into the operation of existing Statutes in regard to the formation of, and proceedings by, Commissioners of Sewers, Drainage and Navigation Boards" any evidence as to the non-navigable condition of the Upper Thames, and the consequent closing of the water communication, created at great cost in the last century, between the Thames and the Severn, and with reference to which a communication from the County and City of Gloucester was made to the Board of Trade in February last?

MR. SCLATER-BOOTH, in reply, said the best answer he could give to that Question was, that the engineer of the Thames and the Severn Navigation had been, or would be, summoned to

give evidence before the Committee of the House of Lords.

INDIA—THE FULLER AND LEEDS CASE.—QUESTION.

MR. FAWCETT asked the right honourable Gentleman the Member for the University of London, Whether, as he has given Notice of his intention, on going into Committee of Supply, of calling attention to the Fuller and Leeds Case, and moving a Resolution upon it, he will, considering the great interest which is taken in the subject, undertake not to bring forward the Motion without previously informing the House on what day he proposes to do so; and, whether, as it is desirable that the House should have an opportunity of expressing its opinion on so important a Motion, he will also undertake not to bring it forward at a time when a Division cannot be taken upon it?

MR. LOWE said, he had put down a Notice of Motion on that case on going into Committee of Supply, because it was his hope and his belief—which he had by no means abandoned—that the Government having raised that question, would give them a whole night for its consideration. At any rate, he could assure his hon. Friend the Member for Hackney that he would do everything in his power in order that the matter should be fully and fairly discussed, and would not take any course which would at all tend to burking or slighting the question in any way. He took that opportunity also of saying that he should be obliged to expand his Motion a little, not altering it to any material extent, but adding to it words of which he would give due Notice.

RUSSIA AND TURKEY—THE WAR—THE SUEZ CANAL—QUESTIONS.

SIR WILLIAM HARCOURT asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Government, whilst declaring to the Government of Russia their resolve to resist the exercise of the ordinary belligerent rights which Russia might be entitled to employ against Egypt as part of the Ottoman Empire, have taken any measures to restrain the Porte and the Government of Egypt to the same extent in respect of the Suez Canal from the exercise of belligerent rights against Russia; and, whether the statement in Lord Derby's Despatch to Mr. Layard of May 16th

"That Her Majesty's Government will expect that the Porte and the Khedive will on their side abstain from impeding the navigation of the Canal,"

is intended to apply to the free use of the Canal by the public and private ships of Russia for the purposes of "innocent passage" in like manner as to the ships of other States? In point of fact, the Question is whether the Canal is to be neutralized against Russia, or is to be neutralized also against Turkey for belligerent purposes?

THE CHANCELLOR OF THE EXCHEQUER: In the intimations which Her Majesty's Government have made, both to the Government of Russia and to the Porte, as set forth in these despatches, they have expressed no wish to prescribe the particular limitations which either of the belligerent Powers place on its rights. Their object is simply to protect the Canal from injury or obstruction by either offensive or defensive measures on the part of either belligerent. I do not anticipate that any such measures will be resorted to; but the Government think it inexpedient to enter more minutely into the question at present.

MR. WHALLEY asked the Under Secretary of State for Foreign Affairs, with reference to the intimation to Russia that an attempt to blockade or otherwise interfere with the Suez Canal or its approaches will be deemed a menace to India, and be incompatible with neutrality on the part of Her Majesty's Government, Whether, in thus restricting warlike operations by Russia, otherwise than in accordance with the common rules of International Law, they are prepared to act upon such intimation without co-operation or consent of the Powers who were parties to the recent Conference at Constantinople?

MR. BOURKE: An intimation such as that referred to in the Question would not have been given unless Her Majesty's Government were prepared to act upon it. I may say, however, that my noble Friend the Secretary of State for Foreign Affairs has not the slightest apprehension that any occasion will arise for so doing. With regard to the "co-operation or consent" of the other neutral Powers, those Powers are interested

like ourselves in the keeping open of the Suez Canal, and we have every reason to believe that the course which Her Majesty's Government have adopted meets with their approval.

MR. WHALLEY: I beg to give Notice that to-morrow I will ask the hon. Gentleman, whether this course is consistent with the independence and integrity of the Turkish Empire?

SIR H. DRUMMOND WOLFF: I beg to ask the hon. Member for Sunderland, when he proposes to bring forward the Motion which he stated his intention of moving with regard to the Suez Canal?

MR. GOURLEY said, he would be ready to bring the subject forward to-morrow night, but, on looking over the Business Paper for to-morrow, he found that there were six Notices before his own, and therefore he saw little prospect of his being able to call the attention of the House to the question on that occasion. He appealed, therefore, to the Government, seeing the urgency and importance of the question to afford the House an opportunity for its full discussion. He now gave Notice that as soon as he got an opportunity of bringing the matter forward he would move a Resolution to the effect

"That Her Majesty's Government be requested to enter into friendly negotiations with Russia and the Porte for the purpose of obtaining guarantees that the free navigation of the Suez Canal shall not be interfered with during the continuance of the present War, and that in order to avoid future complications affecting British interests in the route to India through Egypt, Her Majesty's Government shall adopt such measures as they deem necessary for the purchase of the Canal, its approaches, and adjoining property."

LORD ROBERT MONTAGU: I wish to ask the Chancellor of the Exchequer, whether "blockade" mentioned in the Papers upon Egypt is not an act of a belligerent directed against neutrals and not against the other belligerent? An act directed against the other belligerent, I understand, is bombarding a harbour and burning the ships, or taking the ships when they come out. I wish to ask, whether a blockade is not an act of a belligerent directed against neutrals, and, therefore, whether all Her Majesty's Government have said in this Paper, No. 1, Egypt, is not this—"You shall not be at liberty to exercise your belligerent rights as against neutrals so far this country is concerned;" but they say nothing whatever as regards the belligerent right of one belligerent against the other?

THE CHANCELLOR OF THE EXCHEQUER: That is a question into the discussion of which, in conformity with the intimation I gave just now, I cannot enter.

MR. E. JENKINS gave Notice, that when the hon. Member for Sunderland brought forward his Motion, he should move, as an Amendment, to leave out all the words after the word "Government," in order to insert the words—

"Can enter into no arrangements with regard to the Suez Canal at once satisfactory to Europe and protective of British interests without the concert of the Powers of Europe; and that, before taking any steps with regard to the future status and regulation of the Suez Canal, Her Majesty's Government should endeavour to secure, in regard to their permanent settlement, the co-operation of the Powers interested in its navigation."

SUPPLY—THE NAVY ESTIMATES.

QUESTION.

MR. GOSCHEN asked the Chancellor of the Exchequer, in the absence of the First Lord of the Admiralty, on what day it would be possible to take the Navy Estimates again? No progress, he remarked, had yet been made with the Shipbuilding Votes, and the matter was of such urgent importance, especially looking to certain recent events on the Danube, that it was desirable for the House to discuss it before any great progress was made with the ships now in hand.

THE CHANCELLOR OF THE EXCHEQUER said, he could not fix a day for again bringing forward the Estimates referred to by the hon. Member. They could not be taken immediately, because it would be necessary to go on first with Committee of Supply on the Civil Service Estimates, in order to avoid the necessity of taking a Vote of Supply on account.

SUPPLY—THE ARMY ESTIMATES.

QUESTION.

MR. J. HOLMS asked the Secretary for War, Whether the Army Estimates would be taken on Monday?

MR. GATHORNE HARDY, in reply, referred the hon. Member to the state-

ment just made by his right hon. Friend the Chancellor of the Exchequer, in accordance with which the Civil Service Estimates would be proceeded with on Monday.

ORDERS OF THE DAY.

PRISONS BILL—[BILL 121.]

(*Mr. Assheton Cross, Sir Henry Selwin-Ibbetson.*)

CONSIDERATION.

Further Proceeding on Consideration, as amended, *resumed.*

DR. KENEALY moved the insertion of the following clause after Clause 10:—

(As to solitary confinement.)

"It shall not be lawful to confine any prisoner in solitary confinement for more than twelve hours, and, when he is so confined, the ordinary diet of the prison shall not be withheld from him."

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. SERJEANT SIMON supported the clause proposed by the hon. Member. He had witnessed, he said, instances of lunacy arising from solitary confinement. Persons who possessed some degree of moral and intellectual culture did not require such a punishment. Only the lowest and most debased class of prisoners were subjected to it, and they were the very last to whom, in his opinion, it ought to be applied. He hoped he would not be considered a mere sentimentalist in supporting the clause. It was, on the contrary, because, while acting in a judicial capacity, as a Commissioner of Assize, it had been his duty, to consider the nature of the punishment to which he was sentencing prisoners. He had visited prisons at home and abroad, in order to form an opinion from the actual operation of the system, and it was only from what he had seen and heard that he supported the Amendment of the hon. Member for Stoke.

MR. BIGGAR said, there seemed to be some misapprehension on the subject. Solitary confinement was not inflicted for breaches of prison discipline alone. In many gaols he knew it was the rule to keep prisoners in solitary confinement from the time they went in till the time they came out. The separate system, moreover, was very much in the nature of solitary confinement.

MR. HIBBERT said, he thought the hon. Member who moved the clause should have told them whether he meant it to apply to solitary confinement as a punishment for prison offences. In that case he thought something was to be said against extending solitary confinement beyond a certain time—he thought 12 hours too little. If, however, it referred to all classes of prisoners, it was not a clause which he could support. For one thing, all the new and all the best prisons in the country had been designed with a view to what was called the separate system, and to abandon that system would be to undo the work of years and to incur great expense. Moreover, he ventured to say that the system was of advantage to the prisoner, and not at all likely to injure him in his health. Speaking from the experience of 20 years as a visiting justice, he could say that he never heard of a case in which a prisoner confined on the separate system had suffered in health. In Belgium, where life imprisonment was sometimes inflicted on the separate system, there were prisoners who had been kept in solitary confinement for 14 or 15 years without injury to their health.

MR. ASSHETON CROSS said, he thought that the hon. Gentleman who had just spoken had placed the matter in the correct light. The system carried out in the gaols of recent construction had worked well. With regard to prisoners who were placed in solitary confinement as a punishment for offences against prison discipline, the period of such confinement was strictly limited by Act of Parliament, and it was the duty of the surgeon and of the gaoler to visit them once a day. A record was kept of such punishments, and the visiting justices saw this record every time they went to the gaol. It would be of very great advantage, both as a safeguard to the public and as a means of insuring discipline, if the visiting justices continued to perform that duty.

In reply to Sir WILLIAM FRASER,

MR. ASSHETON CROSS said, the punishment of solitary confinement could not be applied to untried prisoners.

MR. O'CONNOR POWER said, it would be convenient if some one on the

part of the Government would state what was the actual state of the law at the present time, and how many days or hours the gaoler was allowed under the existing system to inflict solitary confinement. He should certainly vote for the Amendment.

MR. SERJEANT SIMON said, if there was any doubt as to the scope of the Amendment it could very easily be amended.

Question put.

The House *divided*:—Ayes 35; Noes 311: Majority 276.—(Div. List, No. 155.)

DR. KENEALY, in rising to propose an Amendment relating to the punishment of prisoners, said, he believed that no such horrible punishments were inflicted either in Turkey or any other country in Europe as were inflicted in some of the prisons in this country, and he was desirous of rescuing this country from the disgrace of inflicting such punishments. He was assured that in many cases the practice of compelling prisoners to wear iron chains, 16 or 18 pounds in weight, was constantly resorted to in our prisons, and that in many cases they were obliged to sleep in them at night. It was constantly the habit at Woking to put these chains round the waists of prisoners, and being obliged to sleep in them on a cold winter's night was a punishment repugnant to humanity and Christianity. It had been proved conclusively that O'Donovan Rossa had been handcuffed for 35 days with his hands behind his back, and was obliged to eat his meals like a beast, and yet the fact had been denied by the prison officials. This proved that acts sometimes were done in the prison without coming to the knowledge of the Secretary of State. To remedy the evils which at present existed he begged to propose the following clause:—

(Punishment of prisoners.)

"It shall not be lawful to compel prisoners to wear masks, or to attach heavy weights to their limbs, or to use handcuffs, leg-irons, or body-belts, or to inflict any tortures or punishments other than the hard labour imposed by statute, and if any such shall be imposed upon a convict in prison he shall be entitled, without giving notice, to bring his action against the governor for damages, by himself, when discharged, or by his next friend if he should be in prison."

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. HIBBERT said, the proposed clause was very important, and worthy the attention of the right hon. Gentleman the Secretary of State for the Home Department. He thought no weights ought to be attached to prisoners, and that no leg-irons or body-belts ought to be used. He had never heard of their being put on prisoners in county and borough gaols, and if they were used in convict establishments he thought the practice ought to be stopped. He admitted, however, that a necessity might arise for using handcuffs in prisons. He was not prepared to support that part of the clause which empowered a prisoner to bring an action against the Governor of a prison.

MR. EVANS reminded the House that sometimes prisoners were so violent that it became necessary to impose additional restraints upon them. He admited, however, that the things in question ought not to be used by way of punishment, but only for the purpose of restraint. He decidedly objected to the use of masks.

SIR WILLIAM FRASER observed that it would be satisfactory to the House to hear authoritatively from the right hon. Gentleman whether the tortures referred to were inflicted upon our prisoners or not. He was very much against any punishments of the kind being inflicted unless they were authorized by the law. The strictest surveillance ought to be exercised, not only by the visiting justices, but by the Home Secretary, over the acts of the officials; we had heard of benevolent and malevolent Governors, and Governors who entertained peculiar views with respect to discipline, which they carried out with great stringency. Instead of confining the inspection of gaols to the visiting justices, every magistrate in the country should possess similar powers, and have the right of inspecting gaols at any hour that he might think proper.

SIR COLMAN O'LOGHLEN desired to ask the Home Secretary, was it the fact that in county prisons in England wearing of masks was used as punishment? In Ireland, as far as he was aware, such a punishment was not resorted to in county prisons. He was quite aware that they were used in con-

vict prisons, for he had seen 20 persons at a time wearing them in Spike Island. He thought it a cruel punishment, and if it was used in county prisons, about which alone this Bill was concerned, he thought there was good ground for the clause now proposed to be added to the Bill. One hon. Member had stated that masks were used as a punishment in county gaols in England, and he desired to know if this was correct?

MR. ASSHETON CROSS thought that it was better before this discussion proceeded any further, that hon. Members should know how the law upon this subject stood at present. If the hon. Member for Stoke wished to know what his opinion was upon this matter, he would say that he believed that in some of the exercising grounds in certain prisons the prisoners did wear masks, but not as an actual punishment, but for the purpose of carrying out the system of separation; but that was a practice to which he was extremely opposed, and he should certainly provide by a rule against the continuance of such a practice. He entirely agreed with those hon. Members who objected to any form of torture or punishment beyond the hard labour imposed by law being inflicted. Hon. Members, however, must remember that gaolers had to deal with a very determined set of people, whom it was necessary to keep under control by means of punishment of some kind. None, however, but the most unruly of the prisoners were ever put into irons. Under the law as laid down by the Gaol Act of 1865, no prisoner could be put into irons or subjected to any mechanical restraint except in case of urgent necessity; and where such punishment was inflicted, the particulars of such case was to be entered forthwith in the "Gaoler's Journal," and notice of the fact was to be given to one of the visiting justices; and it was further provided that no prisoner should be kept in irons, or under other mechanical restraint, for more than 24 hours, without an order in writing from the visiting justices. He supposed that the House would not desire that unruly prisoners should be subject to no restraint whatever, provided sufficient care were taken that the power of inflicting punishment was not abused. Under the Bill, as it now stood, every magistrate would have the power to inspect any gaol, and under the existing law all county magistrates could inspect any gaol in their county. The use of heavy weights, leg-irons, and body-belts, was absolutely illegal at the present moment; and it was, in fact, illegal to inflict any other punishment than that of hard labour. He did not think that any mechanical restraints, except that of the handcuffs, which was sometimes absolutely necessary, were resorted to in county or borough gaols.

MR. BIGGAR observed, that in the case of O'Donovan Rossa it was clearly proved that cruelties were practised in most prisons without the knowledge of the Secretary of State. He thought that no punishment should be inflicted upon any prisoner until he had been proved to be guilty of an offence by some judicial proceeding, in which he would have the opportunity of showing cause why he should not be subjected to additional punishment.

MR. SHERIDAN recommended the right hon. Gentleman the Home Secretary to accept the words of the clause, for there was abundant evidence to show that prison officials were not always guided by the provisions of an Act of Parliament.

MR. PARNELL said, he could not consider the reply of the Home Secretary satisfactory. The powers of the visiting justices under the Act of 1865 were entirely taken away under this Bill. That Act said that the visiting justices should be the visiting justices of all purposes for the punishment of prisoners; but now in this Bill the power of the justices was confined to cases where prisoners were put in irons for 24 hours. In section 59 the gaoler had power to put the prisoner in irons without any order or direction from the visiting justices.

MR. ASSHETON CROSS was understood to say that that was provided for by the gaoler being bound to enter the fact in the book.

MR. PARNELL observed that there was nothing to prevent a prisoner being frequently at intervals kept in irons for 24 hours at a stretch. They knew that O'Brien had been kept in handcuffs for six months, because he made an attempt to break the stonework to get ventilation into his dark dungeon; and when all this was done under the direct control and with the sanction of the Home Secretary, they might reasonably urge that placing a man in irons came under the

operation of the Bill, and that a man should not be placed in irons excepting in cases of violence, or where the safety of the officers of the gaol was involved. The right hon. Gentleman the Secretary of State evaded the latter part of the Amendment which provided that where any tortures or punishments other than the hard labour imposed by statute should be imposed upon a convict in prison he should be entitled, without giving notice, to bring his action against the Governor for damages, by himself, when discharged, or by his next friend, if he should be in prison. That was a most important part of the Amendment.

MR. MILLS thought the 14th section of the Bill carried everything that the hon. Member for Stoke wished, without depriving the gaolers of those powers which were really necessary if discipline was to be maintained. The hon. Member had spoken as if a prisoner were now precluded from bringing an action for ill-treatment; but that, of course, was not the case at all.

MR. BUTT said, the hon. Member for Stoke had made a mistake in mixing two things up in one clause. They all seemed to be agreed that it should not be lawful to compel prisoners to wear masks, or to attach heavy weights to their limbs, or to use handcuffs, leg-irons, or body-belts, or to inflict any tortures or punishment other than the hard labour imposed by statute. But with reference to the rest of the clause, giving a right of action to the prisoner against the Governor or officials, there was not the shadow of a doubt whatever that in the present state of the law if a gaoler were cruel to a prisoner he was both criminally and civilly liable, and he was liable civilly in an action. The only new thing in this clause was giving the prisoner the right to bring his action by his next friend. That would be introducing a totally new principle, and he had grave doubts as to its propriety, and would prefer leaving the prisoner to the common law remedy. The Home Secretary had said that there should be an absolute prohibition of the use of masks, and with that assurance he was perfectly satisfied; but the part of the clause that might be needed was with reference to putting handcuffs on the prisoner, or putting him into irons. As to the use of body-belts, which he supposed to be strait-waistcoats, and handcuffs, it might be absolutely necessary to use them in certain extreme cases. As the law stood at present, it was only in cases of absolute necessity that they could be used. [MR. ASSHETON CROSS: The words are—"urgent necessity."] That was the only case of using handcuffs, and the moment he did it he must report it to the visiting justice. He was not to be 24 hours about it. [MR. ASSHETON CROSS: Hear, hear!] He must report it instantly to the visiting justices, who, if he did his duty, would go straight to the gaol. What were they to do under the circumstances? They must leave it in the hands of the justices, although he should prefer it in an Act of Parliament. He was quite willing to leave it in the hands of the Secretary of State, with the understanding that he would frame his rules in accordance with the feeling of the House. If the Home Secretary would give them an assurance, which he (Mr. Butt) thought he had done, by intimating assent, he would be prepared to vote for the clause.

MR. MACDONALD said, the Act now under consideration was likely to last for a considerable time, and it was therefore desirable to make it as clear and as perfect as possible. Some provision should be made for punishing the wrong-doing Governor, independently of the action which the prisoner might take, for where was a man leaving gaol without money, character, or friends, to go for redress? He characterized the suggestions of the hon. and learned Member for Limerick as being fallacious in the highest degree. He (Mr. Macdonald) preferred dealing with the matter by a clause to leaving it to be dealt with by the Home Secretary.

MR. BUTT said, he wanted the Under Secretary, as the Home Secretary could not speak twice, to assure the Committee that rules should be made against the infliction of these punishments. That was his suggestion.

MR. KNATCHBULL-HUGESSEN remarked that in aiming at putting an end to possible cruelties, they must take care that they did not go too far, and prevent the repression of outrages by prisoners. He could not admit the force of the argument that this and similar clauses ought be passed because gaolers did not obey that which was the law at

present. If that was true, it would be useless to pass another Act of Parliament, and they should rather look to some improved supervision over their gaolers to secure obedience to the law. He appreciated the motives with which the hon. Member for Stoke had brought forward the clause, but said that they must trust somebody to carry out the details of prison management. The use of handcuffs, leg-irons, and body-belts might be necessary at times to prevent prisoners from injuring themselves as well as others; and with regard to the use of masks, and the infliction of unnecessary indignities upon prisoners, the Home Secretary had undertaken to frame rules under which these things should be forbidden, and the House might rest assured that any such rules framed in the direction of leniency by a Home Secretary would never be repealed or reversed. The discussion that had taken place would have a good effect in showing the Home Secretary that the feeling of the House was very much opposed to anything being done to prisoners beyond that which was absolutely necessary for the good government of a gaol, and he trusted that the hon. Member might be satisfied with the discussion.

MR. O'CONNOR POWER said, no one doubted the sincerity of the Home Secretary's humane sentiments, but that simply amounted to this—that the Home Secretary was personally opposed to having masks put upon prisoners, and the Home Secretary was not aware that such a practice had even appeared in any of the prisons in this country. But that did not destroy the fact spoken to by the hon. Member for Cavan (Mr. Biggar), that this did obtain in the county in which the city of Belfast was situate. The Home Secretary was opposed to leg-irons and body-belts, and the hon. and learned Member for Limerick had assured him that it was illegal to impose heavy weights upon the limbs, and that any Government who imposed this might be proceeded against. But if the right hon. Gentleman believed that masks and leg-irons and body-belts were unnecessary, and that the use of handcuffs would be a sufficient means of mechanical restriction, then why should he refuse to express it in the statute? It had been said that gaolers had violated the Act of Parliament, and the Home Secretary had then adduced the argument of what use was it to pass new Acts of Parliament. But if gaolers were bold enough and rascally enough to inflict illegal punishment against the law, what would they not do if they did not confront them with the law? He was not at all ready to trust to the humanity of the ordinary officials, because he was well acquainted with the facts of O'Brien's case, who, under the administration of a humane Home Secretary, was, as a political prisoner, kept in chains in the dark cell for six months. The answer was very plain. They could trust nobody. Home Secretaries had such multifarious duties to perform that prisoners who were unable to seek redress would suffer. He trusted, therefore, that the House would consider carefully the proposition before it, and endeavour to lay down in plain terms that it should be illegal to use masks, or body-belts, or to attach heavy weights to the limbs. He must assure the Home Secretary that nothing would satisfy him in the absence of satisfactory provisions against the recurrence of outrages of a character of which the House was perfectly cognizant.

MR. MITCHELL HENRY observed that the argument that they must trust somebody had been used in the case of the lunatic asylums, where atrocious acts had been committed which had excited public indignation. There were many prisoners in our gaols who could easily be goaded into insanity by cruel and inhuman punishments. The most humane prison officials in time might, from the very nature of their calling, forget their humanity; and there was no doubt that aggravating prisoners were being subjected at this moment to tortures which the House would never sanction. They ought on that occasion, which would not recur for years, to take care that their prison discipline was made as humane as the regulations of their lunatic asylums.

MR. HOPWOOD observed that the common law was very elastic, and they ought to be cautious lest, by declaring that such and such practices were forbidden, they should seem to suggest that other practices, which might be equally objectionable, but which were not specifically prohibited, were lawful. He thought it would be unwise to adopt the clause.

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although in some cases they might laugh at the attempts of the civilian, yet others cheerfully admitted that it was an inducement to competition, and awakened a useful interest in new and different methods of treatment. The Army surgeons were men of ability; but an infusion from outside made them thoroughly alive to new ideas and improved systems of treatment. The talk among them as to this or that treatment of an officer for any particular illness naturally tended to keep them out of a narrow medical groove, and was of immense advantage to the Army surgeons. He did not pretend to have much knowledge of the internal economy of prisons; but it appeared to him that the medical men there would be even more liable to get into a narrow groove than the military doctors, and exactly the same good result would follow the working of the clause that he had indicated in the Army. The clause would do good, although he was prepared to admit that it might be modified. "Medical man" was rather a wide term, and the Government might accept an Amendment of the wording, and substitute the words, "Properly qualified physician or surgeon," and give to the visiting justices the power of objecting to any particular man. It would be impossible that they could object to any well-known man of skill in his profession. Clearly it would prevent the prison medical service becoming a hermetically sealed service, and if the Amendment were pressed, he should vote for the clause as it stood.

DR. CAMERON opposed the second reading of the clause, which, he believed, would offer opportunities for malingering, which it would be extremely undesirable to afford. The outside poor of large towns did not enjoy such privileges as the clause would confer.

MR. EVANS said, that surgeons in gaols very frequently had a large private practice. The gaol authorities had to place the greatest possible confidence in them, and it would not do to have strange surgeons put in a similar position. He hoped the clause would not be pressed.

MR. PARNELL saw the objection to the clause in the danger there was that a prisoner guilty of "malingering" or shamming might get a medical man to humbug the Governor; but, on the other hand, there were cases in which prisoners had been dangerously ill, and yet neglected, simply because the gaol surgeon believed them to be guilty of "malingering." He could not help thinking that the Home Secretary should accept the clause, modified, perhaps, to meet the exigencies of the position. On several occasions he had adverted to the case of Daniel Reddin, the manner in which that unfortunate man was for years subjected to a cruel neglect and to torture while in prison, so that now he was helplessly paralytic. The prison surgeon subjected him to the various cruel tests which were applied to supposed malingerers. Red hot irons were applied to his body, and an instrument of torture, known as "Corrigan's button," was used. It was a difficult part of a surgeon's duty to discover when a man was really ill, and when only shamming; but it should claim the attention of the Legislature as a fact that medical men had not discharged that part of their duty with the humanity which ought to distinguish them. Another case to which the Home Secretary had made allusion was that of a boy who was confined in Walton Gaol, Liverpool, for seven days, in default of paying a fine of *5s.* In that case the lad was sent to work on the treadmill when he was really suffering from symptoms of malignant small-pox, of which disease he died immediately after his discharge from prison. If such a provision as that suggested by the hon. Member for Stoke had been in force that would have been prevented, and a life would in all probability have been saved. He appealed to the Home Secretary to accept the Amendment, and render it more easy for a prisoner to defend himself from the treatment dealt out to a malingerer when he was really ill.

MR. D. DAVIES thought it should not be forgotten that nobody was obliged to go to prison. If prisons were to be converted into palaces we should have persons doing mischief in order that they might get there. At present he was told there was sufficient protection for a prisoner if he behaved himself, and if he did not it was only right that advantage should be taken of him in order to compel him to do so. He also wished to point out that the clause was decidedly a class clause. It would afford no relief to the poorer class of prisoners. There was no cause for com-

Captain Nolan

plaint against the prison doctors; they were always first-class men.

DR. WARD regarded the Amendment as one of utility, although objectionable in some respects. In the first place, it would be an assistance to the official medical men of the establishment, who, from their knowledge of the medical profession engaged in large concerns, were liable to fall into a routine, and were more likely to suspect malingering, and thus fall into fatal errors which the presence of an outside surgeon would tend to prevent. So, too, it would tend to repel all charges which were falsely made against the gaol surgeon; and in too many cases those charges had been substantiated by the evidence of other than official surgeons. In that very case at Mountjoy Prison which had been mentioned, where the medical officer had ventured to lay his objection to certain prison discipline before the prison authorities, it was considered most inconvenient to them, and the officer was dismissed because he would not become a mere mean official such as was then engaged, with the result that, within three months, by being treated as a malingerer, the death of a prisoner suffering from consumption was hastened. As to the use of "Corrigan's buttons," and other instruments, they were well known to medical men, and were really not so terrible as they seemed, but still they would be much less likely to be abused. If such a clause were adopted with that view, he should support the clause.

MR. M'LAREN expressed his deep sympathy with the object of the clause. He thought it advisable that prisoners should be allowed to seek the advice of medical men who had special knowledge of their cases. He did not approve of the clause as it stood; he thought it went too far. He would leave out the words,

> "As often as need be, until he recovers his health, or until it has been established to the satisfaction of the visiting justices that there are no good grounds for such visits."

If the clause went to a division he should feel bound to vote against the Government upon it.

SIR WILLIAM FRASER pointed out that the surgeon of a prison was not an officer who lived within its walls, but a medical practitioner in practice outside. He objected to the clause on the ground that it would produce a division of responsibility in the medical department of a prison.

MR. O'CONNOR POWER said, that the opinion of medical men of the conduct of the eminent man who was dismissed from his position in Mountjoy Prison was shown by the fact that, within the last few days, he had been elected to the Presidency of the Royal College of Irish Physicians. The only real objection to the clause he had heard, and that had been met by the hon. and gallant Member for Galway (Captain Nolan)—the medical attendant should be defined as a properly registered medical practitioner, approved of by the Secretary of State—further, some restriction should be placed upon the number of visits a prisoner should receive from his doctor. An hon. Member (Mr. D. Davies) had spoken of attempts to convert prisons into palaces. All he could say to that was that the hon. Gentleman could have had no knowledge of prisons, or he would know what a great difference there was between the prison as it was and the happy home he conceived. Nor could he have seen the affidavits filed in the Queen's Bench on the case of Daniel Reddin and the treatment he received at the hands of the medical man, Dr. Burnes, all the harder treatment, because he happened to be a political offender, instead of being a murderer, a garotter, or a thief. He supported the clause, because it would secure an independent inquiry in such a case; and hoped that the clause would be modified in the manner he had suggested, as it would then have his support.

SIR HENRY SELWIN-IBBETSON said, that the doctor of the gaol had denied the statements made by Reddin when the latter, having been released from prison, had brought the matter before a Court of Law; and Mr. Justice Blackburn had come to the conclusion that the allegations were exaggerated and many of them untrue, Mr. Justice Quain and Mr. Justice Archibald being both of a similar opinion. It was entirely against the practice in any public Department to allow an independent medical man to correct or set aside the decision of the official medical officer.

MR. BIGGAR stated that the result of Reddin's case was that the unfortunate man was suffering under paralysis, and the fact was that the Judges gave

their decision on perjured affidavits. ["Oh, oh" *and* "Order."] They were as much perjured as were the affidavits in the case of O'Donovan Rossa. ["Order, order."]

MR. ASSHETON CROSS rose to Order, and wished to know if the hon. Member could impute perjury to persons in the way he had?

MR. SPEAKER: The hon. Member will feel that unless he has strong proof of his assertions that these persons have committed perjury his language is not permissible.

MR. BIGGAR said, the proof was in the books which contained the evidence given. The right hon. Gentleman the Home Secretary made a great protestation that he wished the prison rules to be moderate and fair, and yet he was invariably ready to support the present system.

MR. MACDONALD observed, that although he did not go the whole length of the clause, he trusted that the Home Secretary would give it full consideration. If a medical man was called in he would at once consult the prison surgeon. That would be a security to the prisoner, and prevent many unnecessary charges from being trumped up.

MR. RODWELL believed the hon. Member for Edinburgh (Mr. M'Laren) was labouring under some misapprehension as to the effect of the clause. He (Mr. Rodwell) considered it wholly unnecessary, the visiting justices having at present all the power to protect prisoners which it proposed to give them.

MR. SERJEANT SIMON trusted that if the Home Secretary did not accept the clause in its entirety he would give it full consideration, and introduce some relaxation of the rules for the purpose of meeting the difficulty which at present existed.

Question put.

The House *divided:*—Ayes 26; Noes 120: Majority 94.—(Div. List, No. 157.)

DR. KENEALY then moved the following clause:—

(As to interviews and correspondence with prisoners.)

"Every prisoner shall be entitled, as a matter of right, to be visited by his relatives or friends once every three months, and one hour shall be allowed for the purposes of such visit. Every prisoner shall also be entitled to write and receive a letter once at least in every three months. It shall not be lawful at any visit, nor in any letter written by a prisoner, to prohibit him or her from making a complaint of prison rules or prison treatment as affecting such prisoner. It shall not be lawful to exhibit prisoners to visitors in iron-barred cages, cells, or dungeons, unless there is reason to believe that such a precaution is necessary for the safe custody of the prisoner, or against the machinations of his visitors."

He was perfectly certain that if they treated men as beasts, they would in the end turn them into beasts. There was no reason to think that everyone who visited prisoners was in league with the prisoners to assist in their escape or attempt to break the prison rules.

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. O'SULLIVAN said, he had a son who was unfortunately convicted of a political offence and sent to Millbank for nine months, and then was removed to Portland, where he remained over two months. He wrote to the Governor to have an interview with his son, and the Governor replied that he could not visit him till he had been there six months. He, however, got a friend of his to get an order from the Home Secretary, and that order he got, not as a right, but as a compliment to his friend; and when he arrived at the prison he was only allowed to see him through some iron bars, he was not allowed to shake hands with him, although he had not seen him for 12 months. He had occasion to write to the boy on family affairs; but because the boy had received a letter within four months previous the letter was returned. Thanks to the right hon. Gentleman the Member for Greenwich, his son was amongst the first who was released from his odious confinement. He would ask the Government what good they would do by keeping up this petty tyranny? Did they think that it would make men more loyal to the Crown of England? He knew from experience that those who were subjected to such petty tyrannies were ready to crush the laws when they were released. The next part of the proposed clause was "that every prisoner should be entitled to write and receive a letter once at least in every three

months." He had stated that these letters of his were returned; but what he thought most humiliating in his interview was that his son was kept in an iron cage, and between father and son was a warder. Why should he have been placed five or six yards away from his son? The Home Secretary might be anxious that no harm should be done and no cruelty practised; but the House had no idea of the petty vindictiveness of these gaol officials—the scowl that a warder occasionally put on was enough to frighten a prisoner; but when religion was brought into play, as was the case in some gaols in Ireland, the House would scarcely believe the amount of petty vindictiveness practised. He recollected on one occasion sending his boy a religious book which his son had particularly asked for, but the book was returned. The boy was not allowed that simple book, though it had been recommended to him. He also sent a certificate from the doctor that the boy, who was only 19 years of age, was delicate and required flannels, but these flannels were also returned. He merely introduced these experiences to inform the House of what actually occurred in prisons, and he asked the Government for what reason could they object to the clause of the hon. Member for Stoke? The clause could do no harm to anyone. Then, as to the latter part of the clause, that it should not exhibit prisoners to visitors in iron cages, he could not see what objection could be raised to it, when there were plenty of warders about. He hoped that the Government would see their way to adopt the clause proposed by the hon. Member for Stoke, and he trusted that he had shown that there was nothing dangerous or unreasonable about it.

SIR WILLIAM FRASER said, he hoped the right hon. Gentleman would adopt at least the first two paragraphs of this Amendment. Every prisoner should be allowed to receive a visit from his friends every three months, and it should be made, not a matter of goodwill on the part of the Secretary of State, but the law of the land. The second point, that a prisoner might write and receive a letter every three months, ought to be conceded. He was not so clear as to the third point—that prisoners should be allowed to complain of their treatment in those letters, for statements might be published which were not true. But then some means might be adopted which would prevent such abuse. Permission, for instance, might be given to make a statement of grievances to be submitted necessarily to the visiting justices, or to some board or tribunal which would have power to refer it to the Secretary of State. As to the fourth part of the clause the expression "exhibited in iron-barred cages" was unhappy. But what he understood the hon. Member for Stoke to mean was that not the prisoner merely, but the relations who visited him ought not to be humiliated. There were abundant means of preventing the passing of an instrument to enable the prisoner to escape without maintaining the present system. He was glad that the Bill would place such great powers in the hands of a responsible Minister. The way to prevent abuse was to have a Minister responsible to this House and the country.

MR. WHALLEY hoped that some concession would be made by the Government in the direction indicated. For about seven years he was a member of a very zealous committee acting in this City for the protection of the public against the malpractices of the police. There was such a strong feeling against the police from the organized system of perjury existing among them. ["No, no!"]

MR. ASSHETON CROSS: I cannot allow that charge to be made without protesting against it.

MR. SPEAKER: The hon. Member ought to withdraw the statement.

MR. WHALLEY: I will withdraw it, Sir; but I must be allowed to repeat it with a proof. It is part of what I once addressed to the right hon. Gentleman. The police are in the habit of combining, when their conduct is assailed, in such a manner that it is almost impossible——

MR. ASSHETON CROSS: I must protest again, Sir, for the sake of the time of the House. We are discussing prisons.

MR. WHALLEY: What can be plainer than this?

MR. SPEAKER: The Question before the House has reference to certain concessions to be made to prisoners; the hon. Member does not appear to be referring to them.

MR. WHALLEY asserted that he could not depend on the discretion of whoever might happen to preside at the Home Office, and that the abolition of the ancient common law protection that constables should be ratepayers and heads of families exposed the public to ill-treatment at the hands of the police. ["Order!"]

MR. SPEAKER: The hon. Member must confine himself to arguments having relation to the Question before the House.

MR. WHALLEY said, his observations were relevant, and of great importance.

MR. ASSHETON CROSS: It appears to me, Sir, that the hon. Gentleman's speech has no relation to the subject under discussion.

MR. WHALLEY said, he was discharging his duty to the best of his power, and was not responsible for his deficiency. He did not understand that he was saying what was irrelevant. The question was whether we should protect prisoners by such regulations as were now proposed, or should depend on the discretion of a gentleman at the Home Office. Speaking on the authority of a pamphlet which had been published, he maintained that there was a power in those individuals to combine in their own defence, so as to prevent a knowledge of what had happened reaching the Home Secretary.

MR. SPEAKER: I must call the attention of the House to this matter if the hon. Member insists in pursuing a line of argument which I have more than once told him is irrelevant.

MR. WHALLEY: I will sit down, Sir, with the strongest protest that I can make against being prevented by the Rules of the House from discharging my duty.

MR. ASSHETON CROSS said, that he would endeavour to recall the House to the point under discussion. Many speakers had complained of the injustice and hardship of a system of which they were somewhat ignorant. He was far from wholly disagreeing with the hon. Member for Stoke; but his Amendments were almost in accordance with the rules which regulated many of the existing prisons, and which he, for one, did not wish to disturb. Indeed, the latest rules and regulations went further than the hon. Member seemed to wish to in some respects gave the prisoner more liberty than, perhaps, he would approve. He had himself sanctioned a regulation by which prisoners were permitted without order to receive one visitor each during the hours allowed by the visiting justices; and that, so far as he knew, was the principle upon which county and borough prisons were worked. Very possibly the system of rewards might in some cases operate as well as the system of punishment in promoting good conduct, and he hoped the giving of marks would have that effect. He would say a word on the paragraph of the Amendment which allowed complaints of prison discipline. He would remark that one of the very first rules of justice was that a complaint should be made and disposed of as early as possible. But the result of the Amendment would be that a prisoner might complain of (say) a warder, and the complaint might not be heard of for a long time, when the warder might very possibly not be able to answer it. The present practice was that the visiting justice should go round once a week, all the prisoners knowing well enough that they had a right to see him alone. It was a good plan always to see prisoners out of the presence of the Governor. He thought that the visiting justice acted as a check upon the prison officials, and did not see how grievances could be brought before a better tribunal. As for the iron-barred cages mentioned in the Amendment, all that was wanted was that nothing improper should be passed from a visitor to a prisoner. He had known cases where not merely money and tools, but dangerous weapons, had passed from visitors to prisoners, and where the officials had been wounded by these weapons. They must remember that they were dealing with some of the worst of human kind, and that they must have their rules drawn in such a way as would protect their officers. These iron bars were really necessary in some cases; though, on the other hand, he had no wish to degrade the prisoners, many of whom were, perhaps, capable of reforming. The true theory of punishment was that it should be at once penal and reformative, and he hoped that his views would satisfy the House, though he could not accept the Amendment

MR. NEWDEGATE said, that they were simply wasting the time of the [illegible] by asking for promises from the

Home Secretary of which they would not be able to exact the fulfilment. It was the rules to be framed under this Act with which the House must deal.

MR. O'CONNOR POWER considered that no real objection had been offered to the Amendments of the hon. Member for Stoke.

MR. MORLEY said, he was anxious to vindicate the honour of the police with reference to the charges made by the hon. Member for Peterborough (Mr. Whalley). He had lived in London all his life, and had mixed in all classes of society, high and low. Nine-tenths of his fellow-citizens believed that the London police were as a body above suspicion. No doubt among 10,000 men——

MR. SPEAKER: I am unwilling to interrupt the hon. Gentleman, but his remarks are not relevant to the question before the House.

MR. BIGGAR said, the object of the Amendment was to protect the prisoners from ill-treatment, and to enable them to send out complaints.

MR. PARNELL hoped that in some way or another means would be found to enable prisoners to make their complaints known to the outside world—to the Prison Commissioners, and through them to Parliament. He thought it was not unreasonable to ask the Government to insert a clause in the Bill that would ensure these complaints being brought under the notice of Parliament.

Question put.

The House *divided*:—Ayes 36; Noes 163: Majority 127.—(Div. List, No. 158.)

MR. SERJEANT SIMON moved, after Clause 11, to insert the following clause:—

(Use of treadwheel, &c., abolished.)

"That the use of the treadwheel, and the practice of the shot drill, and flogging for breach of discipline, shall be discontinued, and abolished, and so much of 'The Prisons Act, 1865,' section nineteen, relating thereto shall be and is hereby repealed."

He objected to these punishments not only on the ground of humanity, but because they failed to produce any salutary effect. They were simply the relics of barbarous times, when a savage spirit pervaded the whole of our criminal legislation. As a punishment, the treadwheel was unjust and positively dangerous. Practised criminals could work it very easily, while new comers found it positive torture and ran great risk of having their legs broken, or of sustaining other injuries by it. It was said to be used for grinding corn; but corn might be ground in another and better manner. Shot drill, again, which consisted of carrying shot about the prison yard, was said to produce swimming in the head and other painful effects on prisoners. The sole end and purpose of these punishments was to inflict bodily pain upon the criminal, and not to effect any improvement in him. The crank, he had been told, was used for drawing water, and as it was not an instrument of torture, he had not included its prohibition in his clause. With respect to the punishment of flogging, they had the opinion of Her Majesty's Government on flogging, and it was only after that and a very strong expression of this House on the subject that it was re-introduced in the case of "garotting." Were they to allow men's backs to be lacerated by the order of two visiting justices for a breach of prison offences? Could anything be more horrid and more shocking to human feeling than to tie a man up and set another man to flog and lacerate his back? Why it was a disgrace to civilization, and a violation of the feelings of humanity. The single effect of all these punishments was to excite a bitter feeling of revenge in the criminal, to harden his heart, and confirm him in his vicious course.

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. EVANS said, his impression was that shot drill was a bad sort of prison labour. As to flogging, he thought the time had come when it might be abolished as a punishment for prison offences. In his own county (Derby) the visiting justices had found that other punishments were sufficient to maintain discipline; and if flogging was not necessary for that purpose he thought there was no justification for it whatever. He could not, however, join in the condemnation of the treadmill, which was a very ready method of punishment, inasmuch as it

required very little learning. As to working on it, it was no more torture than digging or mowing, and it was not correct to say that it was misapplied labour. In his county it was used for the purpose of grinding corn. The treadwheel was a much better means of doing some kinds of work than the crank. On the banks of the Rhine goods were raised by means of a treadmill, the only difference being that the workers walked inside of the wheel instead of outside. He thought the best thing to do was to vote for the second reading of the clause, and he would then move to leave out that portion of it which referred to the treadmill.

MR. HARDCASTLE desired to point out that if flogging in prisons were abolished the persons inside a gaol would be in a better position than those outside. Garotting in the street, for instance, was punishable by flogging; but if this change were made, a prisoner in gaol might garotte a warder—not an unlikely thing—without the risk of being flogged for his offence.

MR. SULLIVAN pointed out that in the one case the punishment was the result of a trial before a jury and a Judge, while in the other case it was inflicted at the will of administrative officers. He did not see the objection to the treadmill which had been urged by the hon. and learned Member for Dewsbury (Mr. Serjeant Simon). The difficulty was this—that they must put the prisoners to some kind of torment that would not make the prison a comfortable home. The prison must not be made a workhouse or a refuge for poverty or distress. There must be some severity in that treatment. If they introduced an industry such as brushmaking, the brushmakers were up in arms against them. If they adopted any trade, they would find an outcry against interference with the trade. So long as there was a useful result from prison labour, he cared not whether it was the crank or the treadmill. It was but right that the prisoner should pay the penalty of outraged justice, whether it was by means of the crank or the treadmill; but in regard to carrying shot from one side of the yard to the other, there was hardly a brute who was sensible in some degree to such a brutalizing punishment. Warders were not worse than other men in the same position; but the House could never be too careful to remember that the whole influence of prison life on the human mind was to cramp it, and he had known cases in which a few years of such influence had reduced kind-hearted soldierly men to mere gaolers, whose sole idea was to grasp their prisoner, not for the sake of exercising severity, but of keeping him secure. He hoped, therefore the House would not be disposed to place too much faith in the complaints of warders. As to flogging in our gaols, he was in favour of its abolition; but he was of opinion that it would not be desirable to do away with the treadmill or any other useful occupation. It was thought that society was deteriorating when there was an outbreak of garotting a few years ago; but he thought that it was Parliament that was deteriorating by resorting to such a babarous mode of punishment as flogging. That abominable crime had been abolished—so far as it had been abolished—not by the use of the lash. It was one of those epidemics which, from time to time, attacked the best ordered communities. The Governor of Dublin Gaol was a humane man, who conscientiously discharged his duty, and was as disposed to treat his prisoners kindly as any other Governor in Ireland. This Governor having to deal with a most incorrigible fellow put him in the blackhole. The doctor took him out. the Governor put him in again, and the doctor again took him out. He remembered remarking that he believed the doctor was imposed upon; but it was better to err on the side of the doctor than to err on the side of being with the Governor. That was a case in which if they could have ordered the lash it would have been ordered, but they had no power to do so. He was, generally speaking, entirely opposed to flogging; but he would retain the treadmill and any other useful mode of punishment.

MR. BEACH mentioned an instance within his own knowledge in which a prisoner, in whose case all other means had failed, had, after the punishment of flogging had been inflicted upon him, become perfectly amenable to the prison discipline. He was therefore in favour of retaining the use of the lash, not to be ordinarily employed, but only in the last resort. He cordially concurred, he might add, with the last speaker in

Mr. Evans

thinking it undesirable that the treadmill should be abolished. He should oppose the clause.

MR. COLE regretted that the Home Secretary had not dealt with the whole question of industrial labour in prisons by this Bill. It was one of the most important questions for the future. He did not think any one could be found to support shot drill. He would support the treadmill if it was a punishment which could be readily utilized; but it was not so. He thought every prisoner should be put to industrial labour. Was it reasonable that a man should go into gaol to be supported by the ratepayers? Experienced gaolers had stated that it was quite as much punishment to a man to make him earn his own living as to make him perform unremunerative labour. He should like to see the Home Secretary deal boldly with the question of industrial labour that was left untouched by the Bill before the House.

MR. HIBBERT pointed out that it was hardly correct to say that under the Act of 1865 first-class hard labour must consist exclusively of the treadmill, shot drill, and crank drill. Other labour of a similar kind might be substituted, and in the Lancashire gaols labour of an industrial character had been introduced. He quite agreed with his hon. Friend (Mr. Cole) that when they could have industrial labour it was better to use it than resort to the methods of punishment referred to; but there were many large prisons where it was impossible to find industrial occupation for all the prisoners, and therefore it was necessary to retain the treadmill and the crank. Speaking from his own experience, he thought the treadwheel could easily be utilised, as it could be employed in pumping water and turning machines. He could not see his way at present to the abolition of flogging in our prisons. He wished he could. It must be retained to be used as a last resort. Visiting justices tried every means of punishment before resorting to flogging; and it was necessary that it should be retained, to let criminals know that if all other modes failed it could be resorted to. He was unable to support the proposed clause; but, at the same time, he trusted the Home Secretary would, when this Bill became law, increase the amount of industrial labour in prisons.

MR. P. A. TAYLOR expressed his disappointment that when the Home Secretary brought in a Bill dealing with the prisons he should have retained the barbarous punishment of whipping, which was obsolete as far as other countries were concerned. A few years ago a Prison Conference was held in this country, consisting of delegates from all parts of the world, and the delegates were perfectly astonished to find that England still retained a system of brutalizing punishment which every other nation of Europe had abandoned. Yet such was the temper of the House of Commons, that one of the most humane Ministers who had ever held the office of Home Secretary had felt himself compelled to retain this punishment, which Mr. Frederick Hill, who had had a lengthened experience as an Inspector of Prisons, had declared to be as unwise as it was brutal. It could not be said that flogging was at all necessary. It was no deterrent, and was simply a degradation, and it certainly could not inspire in the prisoner's mind that sense of justice which was the object of his punishment. When brutal punishment was inflicted on a man, he became henceforth an enemy of society. The remedy was work—good wholesome work, but not profitless hard labour. Short rations, too, in certain cases, had been found efficacious. He trusted the Home Secretary would see the wisdom of not retaining a system of punishment which had been abolished in every other country in the world.

MR. HOPWOOD wished to call attention to the effect of the system of whipping. In 1874 and 1875 there had occurred 166 cases; but in many gaols there had been no whippings inflicted, and that justified him in saying that it was a dangerous power to be entrusted to any man. Then with regard to the use of irons, he found there were 84 cases; that the cases of solitary confinement in dark cells amounted to 17,800. The cases of stoppage of diet, which in some cases amounted to a moral torture, amounted to 39,482. Now, what had been the result of a change in system, on punishments inflicted in Manchester Gaol? In the years 1875-6 there had been 23 whippings, 752 cases of solitary confinement in dark cells, and 3,269 stoppages of diet; the total number of punishments amounting

to 4,056. But last year the total number had been reduced to 900. Now, how had that change been effected? It was owing to the fact that the Governor at Manchester felt a sympathy for those under his charge, and to the system of marks for good conduct there adopted, which enabled a man who worked hard to earn 2*d.* per day. At the end of his term of imprisonment he would sometimes be entitled to receive £2 10*s.* on leaving gaol; but out of that sum 10*s.* were given to him and the rest handed over to the Discharged Prisoners' Aid Society for his benefit. The Governor had been informed that of those taken in hand by that society, a large percentage were working creditably. The system which had thus been adopted reflected great credit not only on the Governor, but also on the magistrates.

MR. ASSHETON CROSS said, he would not detain the House more than a minute. He entirely agreed with almost every word that fell from the hon. Member for Oldham (Mr. Hibbert). He (Mr. Cross) was in favour of introducing industrial labour, so far as it could be done. Under the Act of 1865 the prisoner had to undergo hard labour for the first three months; but this Bill provided that by a careful adoption of this system the prisoner might be let off the hard labour after the first month. With respect to shot-drill, they must have some readily accessible punishment for insubordination, and so far no other punishment had been found so effective for minor offences. As to flogging, they had so recently discussed that question fully in the House that he hoped he should be excused from entering again into the question. But he must say that he could not agree to the proposal to give up the power.

Question put.

The House *divided*:—Ayes 72; Noes 229: Majority 157.—(Div. List, No. 159.)

MR. PARNELL then moved the insertion after Clause 12 of the following Clause:—

(Return to Parliament of complaints by prisoners.)

"That the Prison Commissioners shall make a yearly return to Parliament of all complaints by prisoners of ill-health, distinguishing those cases where the medical officer of the prison does not think the complaint well founded, and giving the names of the prisoners and of the prisons."

Mr. Hopwood

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. ASSHETON CROSS opposed the clause on the ground that it would be utterly impracticable, because, if they were to have the complaints of prisoners made every year laid before Parliament, a mass of papers would be so accumulated that it would be impossible to deal with them. All complaints now made were attended to, and a remedy afforded whenever they were well founded.

MR. O'CONNOR POWER expressed his regret that the Home Secretary had throughout the discussion of the evening shown his hostility to Amendments that had been dictated purely by a spirit of humanity.

Question put.

The House *divided*:—Ayes 29; Noes 238: Majority 209.—(Div. List, No. 160.)

MR. BUTT moved, after Clause 40, to insert the following Clause:—

(Persons not sentenced to hard labour shall be treated as misdemeanants of the first class.)

"The Prison Commissioners shall also see that any person confined in any prison under a sentence of imprisonment not including hard labour, shall be treated as a misdemeanant of the first division within the meaning of the seventy-seventh section of 'The Prisons Act, 1865,' and that no order of the judge before whom such prisoner shall have been tried shall be requisite or necessary to entitle him to be so treated."

The object of the clause was simply to sweep away the aggravations of punishment which magistrates and Prison Commissioners had engrafted upon the criminal law of the country.

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. ASSHETON CROSS hoped that the clause would not be pressed. He had admitted when the question was raised in Committee that prisoners convicted of seditious libel should be treated as misdemeanants of the first class, and he thought also that persons committed for contempt of Court should be put in the same category. But further than

that he could not go. If they were to enact that unless a prisoner was sentenced to hard labour he should be treated as a first class misdemeanant, the Judges, in the exercise of their discretion, would probably sentence a great many prisoners to hard labour who were not so sentenced now.

Clause, by leave, *withdrawn.*

MR. BUTT then moved the following Clause:—

(Persons committed for contempt of court shall be treated as first class misdemeanants.)

"Any person who shall be imprisoned under any rule, order, or attachment for contempt of any court shall be in like manner treated as a misdemeanant of the first division within the meaning of the said section of the said Act."

Clause *brought up*, and read the first and second time, and *added.*

Further Consideration of Bill, as amended, *adjourned* till *To-morrow.*

NEW FOREST BILL.

NOMINATION OF SELECT COMMITTEE.

Select Committee to consist of Six Members to be nominated by the House and Five to be nominated by the Committee of Selection.

MR. WILLIAM HENRY SMITH, Sir WILLIAM VERNON HARCOURT, Mr. RODWELL, Lord EDMOND FITZMAURICE, and Sir HENRY WOLFF, nominated Members of the Committee.

Motion made and Question proposed, "That Mr. Cowper-Temple be one other Member of the Committee.

LORD HENRY SCOTT called attention to the publication of several letters relating to this question in the public journals, and in particular to a letter of the noble Lord the Member for Calne (Lord Edmond Fitzmaurice), taking objection to the right hon. Member for South Hants (Mr. Cowper-Temple) as a Member of the Committee, on the ground that he was an interested party. The noble Lord proceeded at some length to comment on the conduct of the noble Lord the Member for Calne, both in respect of certain objections he had raised in the debate on the second reading of the Bill, and to the nomination of the right hon. Member for South Hants (Mr. Cowper-Temple) to serve on the Select Committee on that Bill, on the ground of the large interest the right hon. Gentleman had in the subject-matter of the Bill; and also in respect of the noble Lord's participation in a Correspondence which had appeared in various newspapers relating to the same subject:—and complained that the noble Lord (Lord Edmond Fitzmaurice) was not now in his place to raise his objection openly to the nomination of the right hon. Gentleman as a Member of the Select Committee.

MR. FAWCETT joined the noble Lord the Member for South Hants in condemning the course taken by the noble Lord the Member for Calne, who was not now in his place to support what he had said.

MR. J. COWEN moved the Adjournment of the House to enable the noble Lord the Member for Calne, who was not present, to give an explanation.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Joseph Cowen.*)

THE CHANCELLOR OF THE EXCHEQUER hoped the Motion would not be pressed, and pointed out that if the noble Lord the Member for Calne was desirous of defending himself, he would have the opportunity of doing so on the Motion for the Nomination of the Committee.

Motion, by leave, *withdrawn.*

MR. COWPER-TEMPLE nominated one other Member of the Committee:—Power to send for persons, papers, and records; Three to be the quorum.

Ordered, That all Petitions presented against the Bill be referred to the Select Committee on the Bill, provided such Petitions are presented three clear days before the meeting of the Committee; and that such of the Petitioners as pray to be heard, by themselves, their Counsel, or Agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the Bill against the said Petitions.—(*Mr. William Henry Smith.*)

EMLY CATHEDRAL, &C. BILL.

On Motion of MR. ARTHUR MOORE, Bill to amend "The Irish Church Act, 1869," so as to enable the Irish Church body to sell the Cathedral Church of Emly, in the County Tipperary, or any other ecclesiastical structure vested in them which they may not require for religious worship, *ordered* to be brought in by MR. ARTHUR MOORE, Sir COLMAN O'LOGHLEN, and The O'CONOR DON.

Bill *presented*, and read the first time. [Bill 189.]

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, 8th June, 1877.

MINUTES.]—PUBLIC BILLS—*First Reading*—Reservoirs* [103].

Committee—Report—Law of Evidence Amendment* (63); Marriages Legalisation, Saint Peter's, Almondsbury* (85); Bar Education and Discipline* (69).

Third Reading — (£5,900,000) Consolidated Fund*; Customs, Inland Revenue, and Savings Banks,* and *passed.*

CASUALTIES IN INDUSTRIAL OCCUPATIONS.

MOTION FOR RETURNS.

EARL DE LA WARR rose to move for a Return of persons killed or injured in industrial occupations in the years 1873, 1874, 1875, and 1876. There had been from time to time Reports of the Inspectors of Factories, of Mines, and Railways, laid upon the Table of that House, in which were recorded many of the accidents, of the loss of life, and injuries which were daily occurring among the thousands who were engaged in industrial occupations of a more or less dangerous kind: but although the fatal accidents were perhaps fully given, accidents which were not fatal, but many of which caused permanent disablement, were not always recorded—more especially in the Mining Reports. Consequently there was a very imperfect return of casualties. Added to that, owing to the variety in form and number in which those Reports were presented, there was considerable difficulty in arriving at accurate conclusions. He would not trouble their Lordships with the history of legislation on those subjects. With reference to factories, it extended over a period of about 40 years, and a large amount of good had resulted—especially in placing restrictions upon the employment of women and children; but for the preservation of life and the prevention of injuries there remained much which it would seem might yet be done. He might mention one instance of that out of many others, in the words of an Inspector of Factories in the year 1875, who said—

"I take this opportunity of expressing my regret that no clause has been enacted by the 1874 Act or any other Factory Acts forbidding children to clean machinery in motion."

He went on to say—

"It is very sad to know the number of children who are annually maimed by the thoughtless, nay, heartless way in which they are early driven to clean portions of fast-running machinery which it is quite impossible to fence. It is preposterous to say that these accidents arise from the children's own carelessness; nevertheless, in two out of every three cases that is the excuse offered."—[Report 1875, p. 56.]

He believed he was correct in saying that a prohibition of that kind was recommended by the Royal Commission on the Factory Acts, but had never been adopted. Then, as regarded mines. The legislation on that subject dated not so far back as that in regard to factories—he believed the Bill introduced by Mr. Bruce in the House of Commons in the year 1872 was the first of any importance. But, with reference to fatal accidents, what had been the result of that Act? Mr. Bruce stated, in introducing the Mines Regulation Bill—"In 1870 the number of deaths from all causes was 991;" and what had it been since? In 1873 there were in mines 1,069 fatal accidents; in 1874, 1,056; in 1875, 1,244; in 1876, 1,003. That did not show any great diminution in fatal accidents—allowing for some increase in the number of mines; and of other accidents there did not appear to be any complete return. There was, however, a carefully-prepared report in a paper recently read before the Society of Arts, which estimated the annual number of accidents not fatal in mines at about 15,000. He believed that was no exaggerated statement, as he held in his hand an extract from the Report of the Lancashire and Cheshire Miners Permanent Relief Fund, by which it appeared that during the year 1876 there were 3,913 cases of disablement among the members and 56 fatal accidents; the number of members being 22,977. The fatal accidents placed on the funds 31 widows and 68 children, and at the close of the year 88 widows and 205 children were receiving annuities from the Society. That, their Lordships would observe, was in one district only. But besides that large number of casualties there was another fatal cause at work, which in these days of scientific knowledge and practice ought to be more successfully dealt with. He meant that of bad air in mines. In the Report of Mines recently laid upon the Table of that House for 1876, Mr. Evans, the

Inspector of Mines in Wales, said, in a circular issued by him—

"At present the contravention of the Act with respect to ventilation is so general, that I have deemed it advisable to bring the matter thus specially under the notice of the owners."

And in the Report he added—

"It is a matter of regret to me to find that the agents of these mines are, with very few exceptions, ignorant of the principles of ventilation."

It was further stated in the Mining Reports of 1875 that "such an atmosphere is slow poison." Yet in that deadly atmosphere 500,000 miners were daily at work in this country. No wonder that the average life of a miner had been put at not more than 30 years; while sickness was stated to be about 70 per cent above the average of the population generally. It might be said that this was attributable to other causes besides bad air and casualties. Perhaps to some extent it was so; but it would not account for all. No doubt miners had their faults, but they had also their virtues, of which they had recently had some heroic examples; and it could not be without painful reflections that that daily sacrifice of life and disablement was reported and laid, perhaps in silence, upon the Table of the House. He turned for one moment to railways. It was computed that the number of railway servants of every class amounted to about 285,000. It appeared from the Returns that in the year 1876 about 1 in 64 was either killed or injured; and by a further analysis it was found that out of every 15 goods' guards and shunters, which were among the most dangerous employments, one was either killed or injured every year; and in the Report of the Lancashire and Yorkshire Insurance Society, to which his attention had been called, it appeared that out of a working staff of railway men of 10,000 employed, he believed, on the Lancashire and Yorkshire line, 1,579 had been killed or injured in the year 1876. Now, if all those accidents were unavoidable it would be useless to ask their Lordships' attention to the subject. It was because he believed they were in a great measure preventable in mines, on railways, and in factories, that he desired to place before their Lordships a full Return of all accidents. When he said many of these accidents were preventable he was not speaking his own opinion only. It was the opinion of Factory Inspectors, of Railway Inspectors, and of Mine Inspectors. In the Report of the Inspector of Factories in 1876, speaking of engine boilers, he said (p. 32)—

"Some time ago I directed attention to two disastrous boiler explosions which had occurred; by the former I think 13 persons were killed, and by the latter seven, besides, in both instances, a number of persons severely injured. Verdicts of accidental death were returned, one jury simply recommending that in future engine boilers should be placed under Government inspection. Here the matter has been allowed to rest, and other casualties of a similar character are of frequent occurrence without any means being adopted to prevent them."

He went on to say (p. 87)—

"We fine a man heavily for employing females and children a few minutes over time, yet we allow him to blow up the same persons with impunity, as far as the law is concerned."

He would only now add that the casualties in mines, in factories, those which were connected with railways, and by the bursting of boilers collected from different sources, were computed at not less than 100,000 in the last four years. For the reasons he had stated he asked their Lordships to grant this Return. He did not think it was sufficiently known how great the number was of those casualties, and how little was really done, beyond inspection, to enforce efficient remedies for existing evils.

Moved that there be laid before this House, Return of persons (specifying adults and children) killed or injured in industrial occupations in the years 1873, 1874, 1875, and 1876, under the following heads:
By Boilers. In Mines. On Railways. At Factories.

(*The Earl De La Warr.*)

EARL BEAUCHAMP said, he admitted that very many of the accidents referred to by the noble Earl were preventable; but he failed to see any connection between the Motion of the noble Earl and his proposition that many of the accidents which occurred by boilers and in mines and factories and on railways were preventable. On all the matters referred to by the noble Earl there was information collected and laid before Parliament; but, as he gathered from the statement of the noble Earl, he wished to supplement that information by statistics embracing all accidents from

the causes he had enumerated, whether fatal or non-fatal. But the noble Earl did not define how the different kinds of accidents were to be distinguished. It was already the duty of the Inspectors to report on all accidents which were of sufficient importance to form the subject of a Report. He submitted that that was sufficient; though he might point to the Factory Act of 1874, as showing that the Government were by no means indifferent to the frequency and nature of the accidents sustained by the working classes. The voluminous Returns in the Library of their Lordships' House showed that in reality all the information it was in the power of the Government to supply was already before Parliament, and the speech their Lordships had just heard from the noble Earl, which was based on those Returns, was in itself sufficient proof how amply they were supplied with information. With regard to accidents from boiler explosions, the Board of Trade had Returns of those which occurred on board steamships at sea; but when they came to deal with such accidents on shore they were landed in this difficulty—that they had to define what a boiler was, as it might range from a simple tea-kettle to the largest tubular boiler at work in the country. Again, as respects mines, the Inspectors year by year furnished Parliament with the most valuable information, and the same was the case as respects Railways and Factories. If the noble Earl thought that instructions for more minute Reports ought to be issued to the Inspectors, that was an intelligible proposition, but one the adoption of which, in his opinion, was not called for. He hoped the noble Earl would not press his Motion.

Motion (by leave of the House) *withdrawn.*

RAILWAYS—BRAKE POWER.

OBSERVATIONS.

THE DUKE OF SOMERSET said, he had given Notice of a Motion for a Return of any information which the Board of Trade could furnish, showing the progress made in the adoption of additional brake-power by the Railway Companies of the United Kingdom, in conformity with the unanimous recommendations of the Railway Commission of 1873. He had, however, been forestalled by a Return already laid on the Table, and which showed that the Railway Companies themselves attached great importance to brake-power. There was one exception — the Manchester, Sheffield, and Lincolnshire Railway Company, of which Sir Edward Watkin was Chairman. The Board of that Company doubted the importance of brake-power. It was very satisfactory to find that the various Railway Companies were applying themselves to find the best manner in which increased brake-power could be applied. The Royal Commission appointed in 1873 had unanimously recommended additional brake-power. Some Companies were still very far off from a good system; but he repeated that it was gratifying to find them applying themselves to the matter with goodwill and earnestness. Under the circumstances, it was unnecessary that he should move for his Return.

THE DUKE OF RICHMOND AND GORDON was glad that the noble Duke had called attention to the subject. He thought the Returns in their Lordships' hands would show that the Board of Trade had not been behindhand in the matter, but had taken the earliest opportunity of calling the attention of the various Railway Companies to the Report of the Royal Commissioners. He agreed with the noble Duke that it was satisfactory to notice the manner in which the Railway Companies were applying themselves to the subject, and it would be gratifying to Parliament and the country if those Companies should be able to adopt an effective system of continuous breaks.

WORKHOUSE SCHOOLS— MRS. NASSAU SENIOR.—QUESTION.

OBSERVATIONS.

VISCOUNT ENFIELD asked Her Majesty's Government, Whether it was intended to fill up the vacancy occasioned by the death of the late Mrs. Nassau Senior, who in 1873 had been specially appointed to inquire into and report upon the condition, management, health, and treatment of the children, especially the female portion of them, in our great Metropolitan pauper schools? That work was most conscientiously and ably performed by the lamented lady in question, to whose great abilities he wished to offer a respectful tribute of acknowledg-

ment; and her Report, dated the 1st of January, 1874, to the Local Government Board, was well worthy the attention of all who were interested in the condition and welfare of our pauper schools. Mrs. Senior not only visited the 17 Metropolitan Schools, but she also inspected orphanages, industrial schools, reformatories, and "kinder-gartens," both in England and in Scotland; and in Paris she went over some of the most important *salles d'asile* and orphanages, in order to make a comparison as to the physical condition of the children in these different localities. He would not presume to go into detail as to the various plans suggested by Mrs. Senior for the improvement of the system adopted in workhouse and pauper schools; but, as these proposals were necessarily in abeyance, owing to no successor having been yet appointed in that lady's place, he had taken upon himself to ask the noble Earl, who represented the Local Government Board in that House, whether such an appointment would be renewed? and, as some years ago he had the honour of being officially connected with the Poor Law Board, he thought such a Question as that might with propriety be put by him.

THE EARL OF JERSEY joined in the tribute paid by the noble Viscount to the memory of Mrs. Nassau Senior. Her Report was a very interesting document, and contained many valuable suggestions; it was highly appreciated by the Local Government Board. In reply to the noble Viscount's Question, he had to say that a vacancy was not created by the death of Mrs. Nassau Senior, because, owing to ill-health, she sent in her resignation two years ago. When it was accepted, the President of the Local Government Board did not think it necessary to fill the vacancy up. To that opinion he adhered; but should the appointment of a lady to the office filled under the Board by Mrs. Nassau Senior hereafter become desirable, it would be made.

LAND IN IRELAND.—QUESTION.

THE EARL OF BELMORE asked the Lord President, Whether the Appendix to the Return of Owners of Land in Ireland, containing corrections, which he promised last Session, would soon be ready to be laid before the House?

THE DUKE OF RICHMOND AND GORDON said, the investigation of the matter was not yet completed, but he hoped to be able to produce in a short time much, if not all, the information asked for by his noble Friend.

House adjourned at Six o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 8th June, 1877.

MINUTES.]—PUBLIC BILLS—*First Reading*—Gas and Water Orders Confirmation (Brotton, &c.) * [191]; Provisional Orders (Ireland) Confirmation (Holywood, &c.) * [192].
Second Reading—Committed to a Select Committee—Saint Stephen's Green (Dublin) * [167].

PRIVATE BUSINESS.

TASMANIAN MAIN LINE RAILWAY BILL. [*Lords.*] (*by Order.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [1st June], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

Question put, and *agreed to.*

Bill read a second time.

MR. RAIKES moved that the Bill be referred to a Select Committee, Four Members to be nominated by the House and Three by the Committee of Selection. He took that course because there were many matters connected with the measure which could be more conveniently inquired into before what was termed an hybrid Committee than before an ordinary Select Committee. The Bill was an opposed Bill, and it was of the very highest importance that the collateral issues involved in it should be thoroughly and carefully investigated, and that such investigation should not be prevented by any questions of *locus standi*. The mode in which the debenture capital had been raised was one of the questions to which the preceding remark specially applied. He wished to take that opportunity of expressing

his belief that the original directors of the Company were gentlemen of the highest respectability.

Bill *committed* to a Select Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection.

Ordered, That, subject to the Rules, Orders, and Proceedings of this House, all persons affected by the said Bill have leave to appear by their Agents, Counsel, and Witnesses in support of any Petitions which have been presented praying to be heard against the Bill, and Counsel heard in favour of the Bill against such Petitions.

Ordered, That the Committee have power to send for persons, papers, and records; Five to be the quorum.

QUESTIONS.

CRIMINAL LAW — POOR LAW GUARDIANS.—QUESTION.

MR. HOPWOOD asked the Secretary of State for the Home Department, Whether it be the fact that the Chairman of the Faringdon Board of Guardians is in the habit of acting as one of the justices at petty sessions to hear charges or prosecutions at the suit of the board; and, if so, whether he will intimate to that gentleman that such a combination of the judge and suitor is opposed to the spirit of British Law?

MR. ASSHETON CROSS, in reply, said, that he had received a letter from the clerk to the Justices, which stated that it was true that the Chairman of the Faringdon Board of Guardians, in common with other *ex officio* Guardians, attended the petty sessions when cases were prosecuted by that Board; but he did not, in the discharge of his public duty, make a habit of attending specially for the hearing of those cases any more than other cases. It would, the Justices thought, be detrimental to the public interests were *ex officio* Guardians to abstain from acting as Justices in such cases. He (Mr. Cross) did not think it would be possible for him to convey such an intimation as was suggested by the Question, inasmuch as the statute expressly stated that no justice of the peace should be disabled from acting as such because he was an *ex officio* Guardian, and in that capacity connected with any case brought before the Justices.

RUSSIA AND TURKEY — THE WAR — THE SUEZ CANAL.—QUESTION.

LORD ROBERT MONTAGU: asked Mr. Chancellor of the Exchequer, Whether blockade is not an act of a belligerent directed against neutrals (namely, to prevent neutrals trading with the other belligerent); whether it is not the right of one belligerent against the other belligerent, to seize his ships on the sea; and, whether the Despatch of May 16 does not merely assert that, as concerns the Suez Canal, England will not permit the exercise of those belligerent rights against neutrals, but says nothing of the acts of one belligerent against the other (excepting in the Canal itself)?

THE CHANCELLOR OF THE EXCHEQUER: With reference to the first part of the Question of the noble Lord, I would observe that of course blockade is an act intended to prevent neutrals trading with the other belligerent; but whether it can be said that it is exclusively directed against neutrals is another question, because, of course, if you prevent trading between a neutral and the other belligerent, you are directing your action against both parties—the neutral and the other belligerent also. With regard to the second part of the Question, it is undoubtedly the right of one belligerent, as against the other belligerent, to seize his ships on the sea. With regard to the third part of the Question, I would ask my noble Friend to excuse me giving any more categorical answer to it than I gave yesterday. I think it is, as my noble Friend will see, inexpedient to be putting isolated questions and receiving isolated answers; and I would make the same observation, if he will allow me, to the hon. Member for Peterborough (Mr. Whalley), who has upon the Paper a Question addressed to the Under Secretary of State for Foreign Affairs upon a cognate subject. I think it would be undesirable that we should have these Questions put at the present moment, and I hope that the House will excuse us for declining to answer them.

MR. WHALLEY, whose Notice was as follows:—

"To ask the Under Secretary of State for Foreign Affairs, with reference to the claim asserted to a right of way through Turkish Territory, Whether they will enter into negotiations

on the proposals of the late Emperor of Russia in 1853 that (*inter alia*) 'England should take possession of Egypt and Candia as important for communication with India,'"

said:—I most readily concur with the suggestion of the right hon. Gentleman, but perhaps he will allow me to offer a short explanation. If a passage which I inserted in the Question before it was placed upon the Paper had been printed, perhaps it would have altered the view of the right hon. Gentleman. It will not take one moment to read. It is this—"That a proposal"—["Order, order!"]

MR. SPEAKER said, the right hon. Gentleman the Chancellor of the Exchequer having stated that he would not answer Questions of this sort, it would be useless for the hon. Gentleman to enter into an explanation of it.

THE NAVY—OFFICERS ON THE RETIRED LIST.—QUESTION.

CAPTAIN PIM asked the First Lord of the Admiralty, Whether Officers who have commuted their retired pay can be compelled to serve?

MR. A. F. EGERTON: Sir, officers who are in the position referred to in the Question are liable to be called upon to serve. Their names are continued on *The Navy List*, and they come within the terms of Chap. 7, sec. 3, of the Queen's Regulations as "officers on the Retired List." Should any such officer refuse to serve when called upon, his name would be struck off the List.

FALL OF A BRIDGE AT BATH. QUESTION.

MR. PAGET asked the Secretary of State for the Home Department, If he will take steps to secure a thorough investigation into the causes of the breaking of the foot bridge at Bath, and arrange that the proceedings of the inquest be carefully watched by some qualified person on behalf of the Government?

MR. ASSHETON CROSS: Yes; I availed myself of the offer of my right hon. Friend the President of the Board of Trade of the services of Colonel Yolland, who is already on the spot making proper inquiries. I have already given directions that the Home Office shall be represented at the coroner's inquest by competent counsel.

INLAND REVENUE—BLENDING SPIRITS IN BOND.—QUESTION.

MR. J. P. CORRY asked Mr. Chancellor of the Exchequer, If there has been anything fraudulent on the part of traders engaged in the business of racking and blending spirits in bond by their treatment of the casks after they have been emptied?

THE CHANCELLOR OF THE EXCHEQUER: I hope I did not, in an Answer I gave some time ago, seem to imply that any fraud was imputed to the traders in respect to whom this Question has been raised. There was nothing fraudulent; but the way in which the casks were rinsed out was found to involve a loss to the Revenue; and it was therefore necessary that steps should be taken to preserve the Revenue against similar loss in the future. There was no intention to impute to the gentlemen engaged in the transaction anything of the nature of a fraudulent intention.

ARMY (IRELAND)—THE 88TH REGIMENT.—QUESTION.

CAPTAIN NOLAN asked the Secretary of State for War, If he can state how many applications for One Pound rewards for the apprehensions of men of the 88th Regiment have been made by the police stationed at Ballinasloe within the last three months; how many of these applications have been granted; and, in how many cases the commanding officer of the regiment in question considers that the soldiers apprehended intended to desert?

MR. GATHORNE HARDY: There have been 12 such applications on the recommendation of the magistrates, which have all been granted with the exception of one, in which, with the assent of the magistrates, the sum was reduced to 10*s*. No report has been made by the commanding officer as to his opinion about the intended desertion; but in 11 of these cases the individual soldiers themselves have said that they did intend to desert.

POST OFFICE—TELEGRAPHIC COMMUNICATION WITH SOUTH AFRICA. QUESTION.

MR. WHALLEY asked the Under Secretary of State for the Colonies, Whether any action has been taken or is

contemplated towards providing telegraphic communication with South Africa; and, whether there is any objection to lay befor the House any Correspondence with the Colonies on that subject?

MR. J. LOWTHER: Contracts were entered into two or three years ago with a view to establishing telegraphic communication with South Africa. The contractors, however, were unable to carry out their undertaking, and Her Majesty's Government have been advised that considerably larger subsidies would be necessary to secure an adequate service. As regards correspondence on the subject, I find that there is very little that could be produced beyond that relating to the abortive contract I have alluded to, and the hon. Gentleman will agree with me that it is undesirable to present Papers which would fail to throw light upon the present state of the affair. It is, however, probable that the question will shortly be again discussed with the Colonial Governments concerned.

LOCAL GOVERNMENT ACT—BRIDLINGTON DISTRICT.—QUESTION.

MR. SYKES asked the President of the Local Government Board, Whether he has received a Memorial from the inhabitants of Bridlington against the extension of the Bridlington Local Government District; and, if so, whether it is his intention to ask Parliament to confirm such Provisional Order?

MR. SCLATER-BOOTH, in reply, said, he had received such a Memorial from Bridlington. The objections taken in the Memorial were the same as those which had been urged before the Inspector who held an inquiry on the spot, at which all the parties had an opportunity of being heard. The Provisional Order had been embodied in a Bill which was now before Parliament, and it would be his duty to further that Bill in the usual way.

TRADE MARKS REGISTRATION ACT. QUESTION.

MR. HERMON asked Mr. Attorney General, Whether it is the intention of Government to introduce a Bill to repeal or still further defer the operation of the Trade Marks Bill as regards textile fabrics, or what arrangements will be made to meet the difficulties of the case?

THE ATTORNEY GENERAL, in reply, said, it was their intention to introduce a Bill further to defer the operation of the statute referred to for a limited period.

THE NEW FOREST BILL—NOMINATION OF THE SELECT COMMITTEE. PERSONAL EXPLANATION.

LORD EDMOND FITZMAURICE asked for the indulgence of the House while he made a personal explanation in reply to an attack which he understood had been made upon him at an early hour that morning by the noble Lord the Member for South Hants (Lord Henry Scott). He understood that in the discussion which took place on the appointment of the Committee on the New Forest Bill, the noble Lord had made certain charges against him (Lord Edmond Fitzmaurice) with reference to his conduct in relation to that Bill, and that the hon. Member for Newcastle (Mr. Cowen) had kindly suggested that he (Lord Edmond Fitzmaurice) ought to have an opportunity of being present to reply to the noble Lord; and that the Chancellor of the Exchequer thereupon said that he would have that opportunity upon the present occasion. Now, in the New Forest Bill there were two or three points upon which the interests of the Crown and of the commoners were opposed to one another. These points the noble Lord proceeded to specify, when——

MR. SPEAKER interposed, and said the noble Lord was going beyond the bounds of a personal explanation, and entering upon the details of a Bill which was before the House.

LORD EDMOND FITZMAURICE bowed to the decision of the Chair. He had only wished to mention that there were questions in dispute between the Crown and the commoners. The noble Lord the Member for South Hants was a commoner of the New Forest. In the debate on the second reading of the Bill at a very late hour, he (Lord Edmond Fitzmaurice) took some objections to the possible appointment on the Committee of a Gentleman having a personal interest in the questions involved. He was then aware that his right hon. Friend (Mr. Cowper-Temple) also had an interest in the New Forest, though one of smaller extent than that of the noble

Lord the Member for South Hants, and he knew that his objection applied to his right hon. Friend as well as to the noble Lord; but he thought it better not to mention any individual commoners by name, but to speak of the commoners generally. A few days afterwards a letter appeared in *The Times* which led to a correspondence. In a second letter, which he wrote over a week ago, but which appeared in *The Times* only yesterday, he was obliged to introduce those two names; but the letter was couched in studiously courteous terms towards the noble Lord and his right hon. Friend. That being the case, he understood the noble Lord late last night, on the nomination of the Committee, complained that he (Lord Edmond Fitzmaurice) had made certain statements on the subject in *The Times*, and was not then in his place in the House to substantiate them. His answer to that was, that his two letters to *The Times* were not the beginning of the controversy which had sprung out of what had occurred in the House, but were replies to others, and he hoped they were not offensive in their tone, either to the noble Lord, or to his right hon. Friend. He had learnt that the noble Lord also animadverted on his having in his letters objected to his right hon. Friend's (Mr. Cowper-Temple's) fitness to be a Member of the Committee, and yet not having come forward in the House to support that objection. He admitted the noble Lord had a perfect right to comment on his conduct. Having made those statements in the newspapers, and expressed his opinion unreservedly, that his right hon. Friend ought not to sit on that Committee, he confessed that he felt he was placed in rather an awkward position by circumstances which had occurred since he wrote those letters. He was not present in the House to support his objection, because he had gained his chief object, for the noble Lord the Member for South Hants was not nominated to serve on the Committee. The noble Lord's interest in the New Forest was very large, while that of his right hon. Friend was almost infinitesimal. Again, although the nomination proceeded nominally from the Secretary of the Treasury, yet the proposition to put his right hon. Friend on the Committee practically emanated from that (the Opposition) side of the House. On a matter of that kind he did not wish to go counter to the opinion of a Gentleman of so much greater experience than himself as the right hon. Member for Clackmannan (Mr. Adam), and therefore he thought it would have been an act of presumption on his part if he had come forward and said that the circumstances which satisfied that right hon. Gentleman did not satisfy him. A further consideration which had some weight with him was, that having himself been appointed a Member of the Committee along with his right hon. Friend (Mr. Cowper-Temple), his sincere desire was to act courteously and harmoniously with him and all the other Members. If, however, he had had the least reason to suppose that the noble Lord intended to take notice of his letters, or otherwise refer to him, he would have been most anxious to avoid the appearance of anything like discourtesy towards him in not being present when the appointment of the Select Committee took place.

ORDERS OF THE DAY.

OPENING OF NATIONAL MUSEUMS, &c. ON SUNDAYS.—RESOLUTION.

MR. P. A. TAYLOR: Mr. Speaker, I rise to move the Resolution of which I have given Notice, namely—

"That, in the opinion of this House, it is desirable to give greater facilities for the recreation and instruction of the people by opening for some hours on Sunday the National Museums and Galleries."

Were it not for the peculiarity of this question, of which the House is of course sufficiently aware, I should have been disposed almost to doubt whether it is necessary to address grave arguments to the House in order to show that the people of this country, or those of them who desire to make use of the national institutions on the only leisure day in the week, have a good case to put before the British House of Commons. As to what conclusion the House of Commons will come to on the matter it is impossible for me to say. It was said 20 years ago that had the vote been taken by open Ballot the result would have been very different from what it was; but, however that may be, I hope the House will have no difficulty in distinguishing between the artizan class of the

country and those Petitions we have seen, which are the happy result of the best work, but not the most scrupulous work, of various institutions in this country which have for their *clientelle* every Sunday-school scholar who can reach his head to the table. It is now three years since I touched this question in this House, and I should not have done so now, if I had not been asked by several Bodies, and been reminded that a great change has taken place in the opinion and feeling of the country on this question. The opinions and feelings of religious people and of the clergy have undergone and are undergoing great change. The observation of one rev. gentleman is—

"The clergy should occupy their proper position as leaders, and not merely spiritual relieving officers. It is high time beneficial reforms should be taken up by them, and not left to P. A. Taylor and Co. to inaugurate."

I can assure the rev. gentleman and his colleagues, that I would with the greatest pleasure resign the leadership—if I may claim to have it—to them, and I am sure they would be within their position, as clergymen, in doing that which would be for the moral advantage of the people. The Press also shows a great change in this matter, notably the Press which supports the Government on the other side, and may be taken to express the opinions of right hon. Gentlemen on that side. I believe the question is now more important, from the experience the country has had in the last few years, through the opening in many towns of similar places with excellent results, and entirely unattended with any disadvantage whatever. On the occasion when I last troubled the House on this matter, I thought it right to enter to some extent on what is termed the religious part of the question. I do not propose to follow that course at all upon this occasion; amongst other reasons because the House is not fond of religious or theological discussions, and also because opinions such as those I profess no longer deal with the old Sabbatarian, or religious ground. The pretensions of Sabbatarians have been so closely examined, socially, politically, and historically, that those who oppose the opening of museums on Sundays no longer rely on the religious argument. Therefore I shall no longer try to show the House that because 3,000 years ago the Jews were forbidden to work on the seventh day, Christians should be forbidden to recreate themselves on the first. But now and then Sabbatarianism will crop up. Of course, those who oppose me will say that they highly appreciate the advance of the people in the arts and sciences, and that their only objection is that these should be taught on Sunday. Can it be doubted that they permit it on six days, because they cannot object to it, because on the seventh day they set themselves against it? In a circular the other day the Sabbatarian party let out rather too much of their ancient spirit. They say that—

"If the free Sunday party had but faith in the Gospel, they would reap better harvests of holiness and beauty than by facilitating visits to collections of statuary and paintings, which are quite as likely to influence the passions as to purge the life."

There we have the true and ancient spirit of the Puritan Sabbatarian. I have said that we have not now to deal with the religious argument pure and simple, but with arguments of a social and political character. We are told that we wish to undermine the day of rest for the working-man — that we should, in fact, compel people to work on Sundays. The Sabbatarian thinks it wrong to do anything but sit quiet in one's house all day. Anything but that is regarded as undermining the day of rest. What evidence have the people of this country given of being content to give up the day of rest? What an absurdity to think we are urging them to give up the day of rest, when what we are attempting to do is to make the day of rest more agreeable and more improving. We are told that—"If you could take the spring out of the year, and youth out of life, you would not do a greater injury to the human race than if you took Sunday out of the week." We are told we are compelling people to work on Sunday. There again Sabbatarianism crops up. We are for a day of rest. These Sabbatarian people think nothing of a day of rest, unless it can be on a Sunday. Those people who are compelled to work on Sunday are not cared for by the Sabbatarian party. It is we who would give them that rest it impossible to give them all on Sunday. In fact, as the rector of Bethnal Green said, in sending me a letter—

"My object all along is to approach the question from a religious point of view, and to discuss it on the Christian Church ground. Once get it there, and it is no longer the letter of a law to be kept as the Fourth Commandment, but the spirit of the law, the different interpretations, and different customs and liberty regarding it which have from time to time prevailed from 300 A.D. downward."

Now, what work is done? There is something so factitious in the argument of the Sabbatarian. The Sabbatarian plumes himself on refraining from reading the newspaper on Sunday, yet he ought to know that work on Sunday is necessitated in order that he may have his newspaper on Monday morning. All sorts of work is necessitated on Sundays. Our servants work for us; public vehicles work for us; railways work for us; the machinists' department in many establishments work; blast furnaces are necessarily kept alive in order that men may not be kept out of work on other days. All sorts of work is essential. What should be our aim? To make the work as little as possible, and to organize a plan by which those who work on Sunday should have nothing to do on one other day. Is there any other branch on which so few people would be employed as those in the British Museum to accommodate the thousands who would go there? Of course our venerable friend, the Continental Sunday, will crop up again; but I would ask those who know anything of the dens and slums of our crowded cities, and who also know something of the Continental cities, whether, in making a comparison between the two, they have seen anything to make them certain that our course of action is so much wiser than that of the Continent? On that part of the question I would like to make these two quotations. The rev. Stopford Brooke says—

"As many people go to church on the Continent as in England and Scotland; and in Germany and France and Italy the Sunday afternoon and evening is by the greater number of people quietly and joyfully and decently spent. There is but little of the drunkenness that degrades our Sundays; there is but little of the coarse brawling that fills our streets; there is much more happy domestic life seen in the country walks, in the gardens, and among those who loiter through the galleries. All people are on their good behaviour on Sunday, and the true meaning of the day is better carried out on the Continent than it is here."

Then, again, the rev. Dr. Guthrie wrote—

"We counted on one occasion (in Paris) 33 theatres and places of amusement open on the Sabbath day. Yet, although our avocation led us often through the worst parts of the City, and occasionally late in the evening, in that City, containing then a population six times larger than Edinburgh, we saw but one drunken man, and no drunken women. Well, we stepped from the steamer upon one of the London quays, and had not gone many paces when our national pride was humbled, and any Christianity we might have had was put to the blush, by the disgusting spectacle of drunkards reeling along the streets, and filling the air with horrid imprecations. In one hour we saw in London and Edinburgh, with all their churches and schools and piety, more drunkenness than we saw in five long months in guilty Paris."

For those who object to that kind of Continental Sunday, I have really no argument. I have alluded to various kinds of work permitted on Sundays, and last year I read in the papers that

"the Queen, after a short stay at Lochnagar farm, continued her drive by way of Balnacroft, and remained for some time beside a field of oats belonging to Mr. Begg, where about 50 men and women were actively at work binding in stooks the grain which had been spread out on the Saturday. The grain was quite dry on Sunday, and the people in the district turned out with willing hands, and had the whole field bound and stooked by evening, part of the operations being conducted by moonlight. Before leaving Her Majesty signified to Mr. Begg her opinion that the work was one of necessity."

I do not think there are many hon. Members in this House on either side who will deny that Her Majesty did a most gracious and rational thing in making that observation. All the villagers had turned out into the harvest field in order to obtain some little better results from the corn which was going to make bread to feed their bodies, and the Queen approved of what they did. Is it asking much more—is it asking any more—when we ask that a very few persons should be allowed to minister at the British Museum or the National Gallery, in order to garner in a richer harvest for the intellect and imagination of the masses? It is very curious to observe the course America has taken on this question. America is exceedingly like us in many respects, and, descended as she is from the Puritans who left this country 200 or 300 years ago, her regard for the Puritan Sabbath has been, perhaps, a more serious thing than it has been anywhere in this country south of the Tweed; but the lessons of experience, thought, and

wisdom have taught them better things. I desire now, if the House will allow me, to read them a piece of evidence of what I may call the unconscious insincerity of the Sabbatarians in putting in the background their religious theory, and endeavouring to substitute for it social and political arguments which have no basis when removed from Sabbatarianism. That is going on in America as well as here. There was a great Convention at Boston last Autumn, at which Francis E. Abbott made these observations—

"It is true that in most of the States all these Sunday restrictions are put ostensibly on the ground of general secular utility, merely protecting a public day of rest, and securing the public quiet. That is the ostensible ground, and yet you and I know this, as well as that we are here to-day, that the real reason in the minds of that part of the people which sustains these statutes and keeps them on the books is a superstitious regard for the Sabbath, the 'Christian Sabbath,' and a wish to compel everybody to pay at least public homage to it. This is the fact of the case, and the disgraceful insincerity of these Sunday-Sabbath laws. They do not represent the secret, real views and opinions even of the orthodox community itself. The very men who would vote down time after time every proposition to repeal these statutes, go and do the very things which they thus formally prohibit, and break themselves the very laws which they lay as a heavy burden on the labourer, the Jew, the free-thinker. How many orthodox persons in this city and State always refrain from travelling on Sunday? How many of them always scrupulously obey these statutes? I think it is safe to say that the orthodox are just as disobedient to them as the average free-thinker."

Now let me cap that with a few lines from a sermon by a rev. gentleman well-known in this country—the Rev. H. R. Haweis. In describing the difficulty we have in opening these institutions here, he says—

"Uninstructed public opinion—ignorant Sabbatarianism alone stops the way. Have nothing to do, I pray you, with the rowdyism of desecration which declares that Sunday is like any other day, and that we have no need of religious worship and rest. But remember there is another kind of rowdyism that is doing, if possible, more harm still, it is the religious rowdyism of the Sabbatarian ring. I would fain convert the ring, but if that is impossible, if its members will neither read the Bible, nor their history, and refuse persistently to study the will of God, or the interests of man in this matter—then, I say advisedly, we must act upon them through public opinion, and through Parliament; we must break up the Sabbatarian ring."

I hope to deal a very small blow to-day towards breaking up that Sabbatarianism. No hon. Member can doubt that the proposition I make is at any rate a most moderate one. I have made it also most definite, in order if possible to meet the wishes of the hon. Gentleman opposite, the Member for the University of Cambridge (Mr. Beresford Hope). He seemed, on the last occasion on which I brought the subject forward, half inclined to vote for me, but he complained of the indefiniteness of my Motion. He disclaimed the idea that he could have any Puritan sentiments, but he expressed a fear that a certain museum, owned by a Dr. Kahn, might be opened under cover of my Resolution. I need hardly say that it will be impossible for him to have any fear of that kind now, and I hope therefore he will vote with me. Whether I shall be told that my Motion is so small, that it is only inserting the thin end of the wedge; or whether I shall be told it is so wide and revolutionary, that religion and morality will shrink and shrivel under it, I do not know—probably, I shall be told both. In regard to the assertion that this is the thin end of the wedge, that argument is too late by at least a century. The thin end of the wedge has been put in many long years ago. We are told in the records of the Presbytery of Strathbogie, under June 6th, 1658, that

"the same day Alexander Cairnie, in Tilliochie, was delaitit for brak of Sabbath in bearing ane sheep upon his back from the pasture to his own house. The said Alexander compeirit and declar it that it was of necessitie for saving of the beast's life in tyme of storm. Was rebukit for the same and admonished not to do the lyke."

Buckle however tells of worse than this—The Scotch clergy did not hesitate to teach the people that on that day (Sunday) it was sinful to save a vessel in distress, and that it was a proof of religion to leave ship and crew to perish. One of our more northern ministers, whose parish lies along the coast between Spey and Findhorn, made some fishermen do penance for Sabbath-breaking in going out to sea though purely with endeavour to save a vessel in distress by a storm. Cases of refusing to rescue vessels in danger because of the day being the Sabbath, have occurred more than once in quite recent times. Even in the nineteenth century we see the same spirit of Scotch ecclesiastical rage against fresh air on Sundays. In 1834 the General Assembly issued a pastoral admonition

on the sanctification of the Sabbath, which was ordered to be read from every pulpit in the Church of Scotland.

"With deep concern," says the Assembly, "we have learned that multitudes, forgetful of their most sacred duties and immortal interests, have become accustomed to wander in the fields, to frequent scenes of recreation, &c. This is stigmatized as "an impious encroachment on the inalienable prerogative of the Lord God."

Then follow threats of future judgments, worms that never die, unquenchable fire, *et hoc genus omne*. Who shall say, after that, that it is competent for me to insert the thin end of the wedge now? A curious story in illustration of the old Puritan Sabbatarianism is told by Miss Fanny Wright, in her book called *The Views of Society*. She says—

"An officer of the American Navy, a native of New England, told me that when a boy, he had sooner dared to pick a neighbour's pocket on a Saturday than to have smiled on a Sunday."

I will go one step further, and will show not only that the thin end of the wedge theory is far too late, but that I am proposing no advance at all, but simply an extension of that which is already done in many towns to all. It is said that this would lead to the opening of theatres. Well, the time was when there was a close alliance between the theatre and religion, and had there been a Sabbatarian party in the Christian Church 600 years ago, which there was not, the probability is, that the one exception they would have made in regard to places that might be open on Sunday, would have been the theatres for the performance of sacred miracles. Since that time the distance between the drama and religion has grown very wide. Whether they will ever get nearer together again, it is not for me to say; but it is enough for me, as an answer on this occasion, to remark that nobody has asked for the theatres to be opened on Sundays, and that in those places where other places of amusement are already open, nobody has suggested that the theatres should be open too. It is a most dangerous principle, and one that has caused revolutions all the world over, to continually refuse to grant that which all hold to be sound, useful, and politic, lest as a result something which nobody desires should come into operation. That that is an unwise thing to do we all find, and acknowledge as an axiom in past history; but it is an astonishing thing that when we come to legislation on any matter under our own noses, we are continually repeating the blunder which our ancestors made. The wisdom would be to open this door just as wide as is demanded for that which all admit to be good, useful, and elevating, lest the time should come when through resisting that too much, the door will be thrown wide open by an overwhelming effort, and much will come through which is certainly equivocal, and which none of us desire. I must now say a word in regard to the places which are opened now on Sundays at home and abroad. In Protestant Germany and Denmark, as well as in France and other parts of the Continent, museums and galleries are open on Sunday. In Boston and other large towns in the United States of America, the public libraries also are open. Near London we have the Crystal Palace, the Albert Hall, and the Zoological Gardens, which are open on Sundays—to shareholders only. I am informed that in Middlesborough the reading-room and library have lately been thrown open, from 9 till 9. I have a letter stating that the movement is thoroughly successful, and the Press of the North is unanimously in its favour. Then, we have open in the vicinity of London, Kew Gardens and Hampton Court. The right hon. Gentleman the Secretary of State for the Home Department (Mr. Cross), who I am sorry not to see in his place, is understood to have done a great deal towards maintaining the power of the Brighton Aquarium to keep open. As a resident at Brighton, I beg to present him on my part, and on the part of my co-residents, with sincere thanks for what he has done. Some of us think he might have attempted to do it in a little more bold and obvious manner. If he had introduced a Bill for repealing an old Act passed really for other purposes, and under which no action can be taken now but what is mischievous — if he had done that, instead of merely framing a law enabling him to remit penalties after they had been inflicted, he would perhaps have been better and more completely meeting the conditions of the case. But let me remind the right hon. Gentleman and the House, that in attempting to keep open the Aquarium for the people of Brighton, he has gone

a great deal beyond anything which I am now proposing, because in that case you have the evils such as they are, of payment at the door, and of there being a private company seeking to make profits by their Sunday exhibitions. Although, therefore, the right hon. Gentleman did what was quite right, and I thank him for it, yet he was going a very long way beyond what I am asking. Then, again, in Birmingham, the Free Library and Art Gallery are open. The hon. Member for Birmingham (Mr. Chamberlain) is here, and I trust he will tell the House his experience in the matter. The Botanical Gardens in Dublin are open on Sundays, and that under the threat that if they were not so opened, the Government allowance would be taken away. The Zoological Gardens in Dublin are also open. The hon. and gallant Member for Southwark (Colonel Beresford), is going to move an Amendment against me; and he is going to tell his constituents that it is not expedient that places of amusement should be thrown open to the public on Sundays. What does he mean by places of amusement? Some people regard the open fields as a place of amusement. Does he object to that? Some regard the streets as a place of amusement. Will he oppose their going into the streets? Some like the Parks with the bands playing. Would he prevent them from having that enjoyment which they have now had for many years, notwithstanding the vigorous opposition of those religious gentlemen who are now endeavouring to keep the museums closed? I will proceed to give a few facts as to the places already open, because facts are the most powerful arguments. Dr. Hooker wrote me the other day—

"Sunday is one of our fullest days, and it is impossible for people to behave better than they do on that day. As regards the museum visitors I do not remember an instance of anyone having to be turned out of any of the three museums since their establishment, now nearly 30 years ago, and they are so often densely crowded that it is difficult to move in them. On one day last year we had 68,000 visitors, and not a case of bad conduct."

Now, it is a pleasant thing to notice not only how well these masses of people behave, but to observe that the very sight of the gardens as they enter seems to modify and refine the coarseness of their demeanour. Dr. Hooker says—

"Not a year passes without my being warned of the advent of large and rough bodies of visitors from the East and South of London, who certainly do arrive after a very disorderly fashion, but who on entering the grounds often, after a few exclamations of surprise, spontaneously assume a different demeanour, and are reported by the police and patrols as having been samples that certain Saturday visitors might well imitate."

I cannot refrain from reading a few words from the Chairman of the Birmingham Free Library, because what he says is so precisely germane to the question on every point raised against me. He says—

"The members of the staff of attendants are allowed a day's holiday during the week in return for their six hours' duty on Sunday. The great opposition which at first existed to the Sunday opening has completely died out. . . . Indeed, I know for a fact that some who held strong and conscientious objections to the movement at its commencement are now willing to admit that the evils they feared have not happened, and that on the whole the result has been very beneficial to the town. A short time ago I was informed by a lady that the wife of a workman had just told her that she blessed the day the Free Libraries were opened on Sundays, as her husband who often used to spend his Sundays at the public-house was now a regular frequenter of the library, which he never quitted until it was closed."

The Secretary of the Royal Zoological Society, Dublin, writes—

"Without in any way offering an opinion as to the general effect of opening museums, &c., on Sundays, I can only give my individual opinion that the opening of our Zoological Gardens at a nominal price has had a most civilizing effect, and tends much to keep the working classes out of the public-house.'

Dr. Moore, curator of the Glasnevin Botanic Gardens, Dublin, writes—

"No injury whatever has been done by the visitors; on the contrary, they appear to take great interest in examining the plants, &c., of foreign countries."

Now the House will allow me to read a short extract from a letter sent to me specially in reference to the Bethnal Green Museum by a most respected clergyman, the Rev. Septimus Hansard. He writes—

"In the month of November last 260,000 visitors, almost entirely of the humbler class of society, came to see the works of art in the Bethnal Green Museum. The police and officers on duty there assure me that not a single person misbehaved him or herself. You never see any rudeness, nor hear any of the foul language of the street. In the face of what is beautiful the roughest is made gentle, his very language is purified, and his demeanour reverential. I have

men on week-day holidays men whom no sermons ever reach, and who have long since forgotten the Bible lessons of their childhood, gazing with wonder and interest, not unmixed with awe, on the pictures of great artists, representing some scene in the life of Christ, or discussing with one another in animated language the merits of Rembrandt's or Reynold's portraits, or questioning the reality of the bright life of Murillo's beggar boy. I should like to mention a circumstance which was reported to me on the best authority, which bears on the great question of recreation versus public-houses. On the day of the opening of our Bethnal Green Museum there must have been congregated in the streets of the East-end of London nearly 500,000 people, men, women, and children, and yet there was not a single case of drunkenness brought before the magistrates the next day arising out this event, and why? Because the people had something else to do and to look at and to amuse themselves with. I wish you would tell Sir Wilfrid Lawson this. I am certain that a great proportion of drunkenness in the humbler classes is caused by their having nothing else to do on a holiday but to get drunk."

I do not know what people will say about this matter 50 years hence. They will probably say that in the year 1877 there was a tremendous "to do" raised against the drinking habits of the people; that meetings were held, and every evil and every crime that existed was traced to those drinking habits. Whether the evils of drink are exaggerated or not I will not say; but for my part I believe that if the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), went to Italy, and saw the leaning tower at Pisa he would come to the conclusion that its peculiar position was caused by alcohol. However that may be, people 50 years hence will tell how we fought and quarrelled and turned out one Government and put in another on the question whether public-houses should be opened half-an-hour sooner or later; but that a large majority declared—for I fear that will be the case—that let what may be open, every avenue to improvement and recreation should be closed on Sunday. The working classes require and must have the stimulus of change and recreation. We have plenty of it. We have the Derby Day; the 12th of August, and the 1st of September; and I suppose many of us have amusement and excitement for every day in the year. The poor man must have something to look forward to at the end of his week's work—some change, amusement, and recreation. As it is, he looks forward to the public-house with its warmth, its comfort, and its gossip; and I for one am not prepared to take that way. I do not believe in raising people by taking away a lower-class excitement, but rather by giving them something better and higher. This has been so well put by a high dignitary of the Church—I find myself supported on all sides by the clergy; it is a new sensation for me—that I must quote his words. At a meeting at Liverpool of the Chester Diocesan Branch of the Church of England Temperance Society, the Dean of Bangor said—

"That to compel public-houses to be closed on Sunday by Act of Parliament, before the people were willing that it should be done, would be very undesirable, even if it were possible. The question arose, however, if they were going to close public-houses on Sunday, what were they going to give the working-classes in exchange for them? One element of the case was the convivial or the social character of the gatherings at public-houses, and they ought to provide some counter-attractions. They must find something to replace the public-houses—something to ennoble and not debase the people."

The rev. Septimus Hansard, from whom I before quoted, concludes his appeal in words compared with which any language of mine would be weak. He says—

"In the name of my Master, and for the sake of the religion most hon. Members of the House profess, I ask that all places of healthful recreation for mind and body under the supervision of the Government should be opened on Sunday afternoons."

I shall now ask the House to permit me to tire it once more by reading an account of what they have done in America in this matter. This account, which is not without its interest, was given by Mr. Gannett at the Boston Convention. He said—

"There is the public library reading-room on Sundays; there it *was not* till three or four years ago, thanks to some of the working man's good friends. But in Boston, after 10 separate struggles during a 17 years' campaign, it has stood open to him since February 9, 1873. He has scanty time for papers or magazines through the week, and there he will find a feast of them. If you go there you will see him any Sunday afternoon or evening. According to the last report of the Boston Library, at the central reading-room it takes on the average, that day, 476 periodicals to feed him and his fellows—the winter average, apart from the summer, much exceeding this—and on full Sundays the congregation overflows into the next room. A very considerable proportion are persons who do not or cannot visit the library on week-days—reporters, mechanics, and those who work early and late. At the Christian Union reading-room, at Boston, they read books as well as papers. When that institution

was re-organized in 1868, without a word said to anyone, it simply left the bookshelves free on Sundays, and no one said a word against the liberty. Probably three times as many readers go there as on the week days; before the morning church, and through the afternoon and evening. 'I would rather close it any other day than Sunday,' says the President. The Milwaukee Library ventured to do the same in 1869 or 1870. In Philadelphia, also, the Mercantile Library followed suit in 1870. Before the second year was out the attendance averaged 700, nearly all young men, and it reports generally increasing numbers ever since. The Cincinnati Public Library, opening its doors on a March Sunday of 1871, has the past year, averaged over 1,100 in its Sunday reading-rooms. 'How many were genuine, how many are loafers in search of a warm place on Sunday, I know not,' writes the friend I quote. 'But where might the loafers have been otherwise?'"

It is better, I take it, even to loaf and idle by the shelves of libraries than in other places to which I need not more particularly refer. Mr. Gannett continues—

"In New York the Mercantile Library began with a Sunday of May, 1872. The St. Louis Public School Library was only a month later. 'It is always as full as its generous accommodation permits.' In even a small city like Worcester, 200 visitors find Sunday shelter in the Library, besides a librarian, who makes it a part of his personal Sunday service to minister to their individual book wants."

What is the experience of individuals in this country—such men as the Duke of Westminster and Mr. Bicknell? All honour to them, I say, for what they have done. Some friends of ours in this House may think otherwise, nor do I very well see why the Duke of Westminster should be permitted to endanger the souls of many thousands of his fellow-creatures simply because that house is his private house. However, let us see what he writes to Sir Henry Cole—

"Visitors numbered in the two months 10,560, and the applications were so numerous that the clerk's time was so entirely taken up with this work that we had to say that no more could be entertained, or tickets issued. I had no idea that there would have existed so great a desire to see these things, and I am heartily glad of it. It shows that if the opportunity could only be given, thousands would gladly avail themselves of visiting, to their benefit, such collections on, with many of them, the only available day—namely, on Sundays—and thereby improving their taste and assisting towards the instruction required. Another year we may make better provision before hand. Among other applications (refused) was one for admission for the Thames bargees."

I received a letter yesterday from a foreman at a large tailoring establishment—

Mr. P. A. Taylor

Poole's—and he says that seeing that the noble Lord the Vice President of the Council (Viscount Sandon) had said that working men were opposed to the Motion, he canvassed 900 working men, and found only 12 opposed to it. He adds—

"I shall be very glad to introduce to those shops either Lord Sandon or any other Member of the House of Commons who supposes that working men are opposed to the Sunday opening of museums."

Last year, I am told, a procession of 20,000 persons walked through the streets of London quietly and knocked at the doors of the British Museum and the National Gallery, and requested to be admitted to their rights. They were very properly told that the Trustees of the British Museum had carefully considered the application, and had come to the conclusion that the question was one for the decision of the Government. With the Government and the House of Commons, therefore, it depends whether the people should have the advantage of visiting those places on the Sunday. Mr. Wornum, of the National Gallery, replied in the same way. I am struck with an impression almost of terror at the awful waste of human intellect and human enjoyment which is the result of our mode of dealing with Sunday. When you reflect that every man who lives to be 70 has passed 10 whole years of Sundays, and that there are tens of thousands of workmen in our great towns who have no opportunity of study or culture, who, perhaps, have not half-a-dozen books to go to, and who are shut out from these centres of knowledge and intelligence, I say it strikes one with terror. I cannot credit that there are many mute inglorious Miltons who would arise to bless the country; but I am convinced that the general enjoyment and intelligence and re-active force of tens of thousands would be infinitely raised if we could take a more sensible action in this matter. There is another point of view which I would urge on the House. I would ask it to reflect that we are voting on a matter which interests, individually and personally, no single Member of the House. Not a Member cares whether museums and libraries are opened on Sunday or not. It is Dives legislating for Lazarus; and I only say we should be very careful what decision we come to. It is a division of labour, and not

one of a wholesome character. We, wealthy, and it is to be hoped pious, pass a sort of self-denying ordinance; but those out-of-doors, away from us, and away from our vote, will suffer, and not ourselves. I cannot understand how hon. Gentlemen can take on themselves the responsibility of giving an adverse vote. I imagine somebody going along the worst streets in London or in Birmingham, and seeing drunkenness and brutality and hopeless apathy—the alternation between deadly apathy and the excitement of the gin palace. Let him go a year afterwards, say to Birmingham, where the public libraries and art gallery have been opened, and into which he sees working-men with their wives and children entering, sober, well-dressed, and happy, and I defy him—however he may be going to vote to-night—to prevent an involuntary "thank God" rising to his lips. But every man who votes against this Motion is doing his utmost to prevent a consummation which, if it came about without his intervention, he would deem worthy of gratitude to the Almighty for. I will only give the House one more extract, and it is from a letter, dated June 6, from the incumbent of the Bedfordbury Mission Church, St. Martin's-in-the-Fields. He says—

"As the clergyman of a very poor district within one minute's walk of the National Gallery, I wish you success. It is a very rare thing for a family in my district to have more than one room for all domestic work. It is wicked, indeed, to refuse the people the use of a place like the National Gallery; it is no further from them than a gentleman's picture gallery from his lawn. I wish Members of Parliament and other religious people who oppose your Motion could spend one Sunday afternoon where I always spend mine, and I am sure they would vote at least for the opening of the National Gallery. What the people's rooms are on a wet Sunday, when they cannot break the Sabbath by walking in the parks, let medical men say."

People oppose this Motion as virulently and vehemently as if you were going to pass a law to compel them to go to museums and picture galleries. All we desire is to free those persons who do desire to go from the inability to gratify themselves; and I do think it would not be more tyrannous to compel those to go who do not want to go, than to declare by law that those who do desire to avail themselves of the British Museum, and other great collections, shall not go. What is the right to coerce? And what is more monstrous than that the Dissenters should take up this law? I am told the strongest opponents of my Motion are the Dissenters. Whether that is so or not, I cannot say. I represent a constituency of Dissenters, and they do not seem very angry with me. I have personal friends largely among the Dissenters, and I know very few indeed who are opposed to it. But if it be true that there is a section of Dissenters who are opposed to this Motion, their conduct is most flagrantly inconsistent—to demand the separation of Church and State, and to say that they will not permit any bond of the State to interfere between them and their conscience, and then to say they will not allow the right of private judgment to those who differ from them. I make an earnest appeal finally to the House to pass this Resolution. It is on the face of it natural, reasonable, and moderate. It only brings up London to where many large towns at this time already are, and it only brings up London as far as the British Museum is concerned to where it is as far as Hampton Court and other gardens are concerned. It infringes the conscience of no man, except it be a conscience of that delicate texture which will not be satisfied unless it infringes on that right of private judgment in others which it demands for itself. I beg leave to move the Resolution.

LORD FRANCIS HERVEY, in seconding the Resolution, said, that he did so with great pleasure, for it only asked that the Museums and National Gallery should be thrown open on Sundays for some hours—a demand which, in his opinion, was both clear and moderate. When a similar proposition was brought forward three years ago, it did not meet with altogether a fair reception. It was opposed on grounds of principle by the hon. Member for Leicester's Colleague (Mr. A. M'Arthur) and by the hon. Member for Newcastle-under-Lyme (Mr. Shepherd Allen); but afterwards his hon. Friend the Member for the University of Cambridge (Mr. Beresford Hope) raised with felicitous subtlety a doubt whether the Resolution was not somewhat ambitious and extravagant. The hon. Member for Leicester had now cleared up any ambiguity which might have existed, and had removed all suspicion of extravagance. The objections

urged against the Resolution were of an insidious character, and such as were scarcely worthy of serious refutation. Its opponents took up first of all the cause of the *employés*, but the solution of any difficulty of that kind was easy. This was a rich country, and if it chose to have its museums and galleries open on Sundays, it could afford to act justly to the *employés* who were entrusted with the custody of those buildings. The opponents of the measure also talked about the additional cabs, trams, omnibuses, and trains which would be used. Why, if all the public buildings in London were opened on the Sunday, he did not believe that it would make any perceptible difference in the amount of traffic in the streets or on the lines of railway, and he was satisfied that in the event of his hon. Friend succeeding in carrying his Resolution, he would not be able to create a revolution in the character of Sunday traffic in London. The last argument that the opponents of this proposal always put forward with great effect was, that this was only the thin end of the wedge, and that if people were once admitted to the picture galleries and to the libraries, the factories and the shops would very soon be opened also. He regarded that argument as the merest possible "bogie." Was it reasonable to suppose that when Sunday was made more attractive, and when the means of recreation and instruction were increased, the working classes would allow themselves to be forced back into factories and into shops at the instance of their employers? Did anybody believe in the soundness of that argument? The truth was, that it was put forward by those who had a certain delicacy in stating what their real objection to the proposal was. He desired to touch very lightly on this branch of the subject, and to avoid as far as possible all theological discussion, but he must warn those who were determined to enforce strictly their Sabbatarian views against the danger of disgusting people with them, and of causing them to disregard the Sabbath altogether. He would caution them against the Nemesis that awaited upon extravagance. By putting forward claims for Sunday, and urging grounds which were not believed by those whom they addressed, they were really undermining instead of supporting the Sunday. It was also asserted by the other side that this movement had been got up in the interests of the publicans; but he did not believe that visiting picture galleries and libraries was more thirsty work than walking in the parks or in the streets. Having thus met, he hoped successfully, the main arguments on the other side, he would proceed to urge one or two points which, it appeared to him, told strongly in favour of the Resolution of the hon. Member. Its object was to render Sunday a more effective and better holiday, and afford the people additional means of refinement and instruction. He did not believe that such a result would be attended with any great evil. There had never been at any previous period of our history so strong a demand for recreation of an intellectual kind as there was at present, and this was a demand which came not only from the richer and from the professional classes, but also from the working classes. Under the existing law it was impossible that the demand could be satisfied, because on the only day on which the working classes could visit our art museums the latter were closed. In these circumstances, it being now proposed to throw museums and picture galleries open to the people on that only day, he hoped the House would feel justified by this great and increasing demand on the part of the people for intellectual recreation in not allowing itself to be swayed in this matter by Sabbatarian considerations, but that by adopting the Resolution they would convert Sunday from being a dismal day into one of which they could say—"This is the day the Lord hath made; let us rejoice and be glad in it."

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable to give greater facilities for the recreation and instruction of the people by opening for some hours on Sunday the National Museums and Galleries,"—(*Mr. P. A. Taylor,*)

—instead thereof.

COLONEL BERESFORD, who had given Notice of an Amendment to the effect—"That, in the opinion of this House, it is not expedient that places of amusement be thrown open to the public on Sundays," said, that he regarded our Sunday rest as the great charter which we had received direct from the Al-

nighty. In his opinion, the hon. Member for Leicester (Mr. P. A. Taylor) stood alone in his advocacy of the matter, and he had not shown that any change like that which he had proposed to make was required by the great mass of the working classes. What had happened yesterday? While the hon. Member was obliged to present a Petition in favour of his Resolution signed by a single person, he (Colonel Beresford), on the other hand, had presented to-day 200 Petitions, signed by nearly 50,000 people, and one of which was 1,506 feet in length, with 34,600 names, against it. A number of Petitions against the Motion had also been presented from places in Scotland and Ireland. These Petitions, he considered, showed evidence of the state of public feeling on the subject—that it was the general desire the Resolution should be rejected. It was a significant fact that the principal supporters of the movement were the members of the Sunday League. He believed that if there was one boon greater than another that had been bestowed on mankind it was the gift of the Sabbath day, and yet the hon. Member for Leicester wished to throw open museums and other institutions of a similar character on that day. The question had been already brought before the House, and debated, but had always been rejected. It was fully considered by the House in 1868, and was rejected on the Motion of an hon. Gentleman opposite, and in 1874 a similar Motion was rejected by a majority of more than 200, the numbers being 271 against 68. This circumstance had also to be taken into account. A meeting of clergy was held at St. Martin's Schools, Charing Cross, when a motion by the Sunday League Party in favour of opening museums, &c., on Sunday was lost by 56 to 35; and at another clerical meeting at Sion College a similar motion proposed by the same rev. gentleman was defeated by 29 to 6. That showed, at least, that the London clergy were not agreed on the subject at all, and that the majority were against the Sunday opening of museums and galleries of art. In 1874 the Sunday League boasted that they had secured the adhesion of 200 clergymen, men of science, and ministers; but it was met by 4,000 signatures from the same class of persons. Similar meetings were held on the subject in Nottingham, Manchester, and Liverpool with the same result; while in Leicester, the head-quarters of the hon. Member (Mr. P. A. Taylor), a Petition, to which 4,000 names were attached, was met in a few hours by another with 15,000 signatures. These were rather strong arguments against the Motion of the hon. Gentleman, and the junior Member for Leicester (Mr. M'Arthur) would give the House his opinion as to the general feeling of that town on that subject. The Sunday League, which was the great instigator of this movement, had amongst its chief supporters Bradlaugh, Truelove, Besant, Charles Watts, and others, who were more or less implicated in the dissemination of indecent publications which were now before the Courts of Law. To open these places to the public on a Sunday would render indispensable the employment of a large staff of persons. The hon. Member and the noble Lord the Member for Bury St. Edmund's (Lord Francis Hervey) both admitted this; but we had no right to do evil that good might come of it. He trusted that the House would never sanction the employment of a large body of public servants on Sundays. It would be impossible to carry out the Resolution without a large staff of attendants in every building thrown open to the public, besides refreshment rooms and drinking establishments. It had been alleged that the licensed victuallers were all in favour of this movement; and, if true, that was strong evidence against the Resolution. With these facts staring him in the face, he hoped the House would not accept it; but retain the credit it acquired in 1874 by rejecting it by a still larger majority.

MR. A. M'ARTHUR: Sir, it is by no means an agreeable duty I have to perform in rising to oppose a Motion brought forward by my hon. Friend and Colleague, and supported by hon. Members of this House, and also by some gentlemen out-of-doors for whom I entertain feelings of respect and esteem. But my hon. Friend is aware that we entertain widely different views upon the Sunday question, and respecting the best means of maintaining and using an institution, which has been characterized by one of his friends as "an effete system which is fast losing its hold on the respect of thinking men," but which has

been, I think, more correctly described by another of his supporters as "the greatest institution the country possesses for the purposes of the religious and moral education of the people." My hon. Friend thinks the policy he advocates is right, and would do good, that it would be an advantage to the public, and that it would especially benefit the working classes. Now, Sir, I give my hon. Friend and many of those who sympathize with him full credit for pure motives and good intentions; but I am fully persuaded in my own mind that the course he recommends us to take is a dangerous one—that it would be a step in the wrong direction—that it would not be an advantage to the public, and that instead of benefiting artizans and the working classes, as he has persuaded himself, and tries to persuade us, it would on the contrary bring about a state of things which might be subversive of their liberty, and would be highly injurious to their truest and best interests. I therefore feel it my duty to oppose the Motion, however unpleasant it may be for me to have to do so. Sir, I observe that the Motion proposed by my hon. Friend in 1874 differed in some respects from the one he now invites us to consider. He then moved—

"That, in the opinion of this House, it is desirable to give greater facilities for recreation of a moral and intellectual character, by permitting the opening of Museums, Libraries, and similar institutions on Sunday."

He now asks the House to affirm—

"That it is desirable to give greater facilities for the recreation and instruction of the people by opening for some hours on Sunday the National Museums and Galleries."

Now, Sir, I do not imagine that the members of the Sunday League have changed their minds, or modified their views, upon this question; but they probably think that limiting their demands to opening the national museums and galleries for a few hours on Sunday, will make the Motion more acceptable to the House, and give it a better chance of support. And they are perfectly satisfied that if they can succeed in obtaining what they at present ask, all that they desire must inevitably and speedily follow. Sir, I trust that the difference in the wording of the Resolution will not deceive hon. Members, or induce them to look more favourably upon it than they did upon the Motion of 1874. To me the proposal submitted to us is even more objectionable than the former one. I am aware it has been argued that a broad distinction should be made between such public institutions and those maintained by companies or private individuals over whom we have no control. Now, Sir, I do not think we have either disposition or the right to interfere with the liberty of private individuals in this respect. We all know that a highly respected nobleman, actuated, we doubt not, by pure motives, has thrown open his galleries to the public on Sunday at certain periods. We may regard this as mistaken kindness, and think the object he has in view would have been better accomplished had he opened them on Saturday afternoons and on Mondays, but no one ever dreams of interfering. We are also aware that in Birmingham and, perhaps, in other places, certain corporate institutions have been opened on Sunday, and, I am willing to admit, with some advantage to a limited number of persons. In the town so long and ably represented by my hon. Friend, where he is so deservedly popular, the propriety of opening the museum and free library has been discussed for many years past, and if the corporation of Leicester think it would be an advantage to the inhabitants to open these institutions, I do not apprehend there would be the slightest disposition on the part of this House to interfere in any way. But what we are now asked to do is, in my opinion, vastly more important and much more objectionable, than the opening of such places in a dozen provincial towns would be. Sir, we are now asked to give the sanction of this House to the opening of national institutions on Sunday, and thus publish to the world that England has changed her views respecting the observance of the day. That would be a signal triumph to my hon. Friend and his supporters, who, as I have already intimated, know perfectly well if they can succeed in the effort they are now making, that the opening of all other institutions throughout the country would soon follow, and that one of the strongest barriers for the defence of our English Sunday, with all its inestimable privileges and advantages, would be broken down. But we are informed by the very rev. Dean who has now the honour of being President of the Sunday

Society, and whose generous sympathies and benevolent intentions none who are acquainted with him will question, that "they desire only to go as far as they thought to be right, and not one step further." Well, Sir, if the very rev. gentleman were always to be president, and if all would submit to his judgment, we might be tolerably certain that he would not go further than he has indicated, unless his extreme good nature should lead him to concede a little more when urged to do so. But can he depend upon having all his own way? Is he not fully aware that what he proposes is only a small instalment of that which his new allies desire and are earnestly contending for? Can it be that he is unconscious of the danger of encouraging men to go as far in a wrong direction, or, at all events, in carrying out what many regard as a dangerous experiment as they think they could go with safety? Sir, that is a delusion which has proved fatal to many. There were doubtless some men of generous impulses and good intentions who identified themselves with the Communistic movement in Paris a few years ago, under the impression that they were advocating the cause of liberty, and with the determination that they would go as far as they thought to be right, and not one step further; brave men like Rossell and some others fought for what they believed to be the rights of the people, and imagined they could control the movement. But we all know how sadly mistaken they were, how soon they lost all control, how even women were transformed into demons, how all Europe was horrified at hearing of that diabolical crime, the murder of the hostages, including the Archbishop of Paris and several men of high character and position, and of the attempt to destroy Paris by fire, an attempt which was so far successful that a large portion of the Tuileries, the Hotel de Ville, and several other public buildings were actually destroyed, and the Pantheon, under which a large quantity of gunpowder had been stored for the purpose of blowing it up, was only saved by the bravery of a soldier who, at the risk of his life, rushed forward and extinguished the fuses which had actually been ignited. I am aware we are happily free from all apprehension of such atrocities being committed in London; but I give this as one illustration out of scores that might be given to show how difficult it is to control a movement in a wrong direction when once a certain impetus has been given to it. But, Sir, we are told of the wonderfully good effect the sight of paintings, sculpture, and other works of art will have, especially if they are seen on Sunday; how people will desert the public-houses and flock to such institutions for intellectual improvement. Well, Sir, I am not one of those who despise or undervalue the refining influence of art. On the contrary, I would wish to see artistic tastes more cultivated and encouraged in every legitimate way; but I have yet to learn that art has ever done much for the promotion of good order, morality, or civil and religious liberty. We all know something of the histories of Greece and Rome, and I need not occupy the time of the House by referring to them. I may, however, remark that we have a more modern illustration, and I must add warning, in our neighbours across the Channel. I am aware my hon. Friend and his supporters are quite tired of hearing about a Continental Sunday. It is by no means an agreeable subject, and they would sooner keep it in the background. I recollect a few weeks ago reading an article in a paper which strongly advocates the opening of museums and other places of a similar character on Sunday, but which I am bound to acknowledge has freely admitted arguments on both sides of the question. The writer, after referring to the well-meaning, but withal intolerant Sabbatarians, who offer the people no alternative between the church and the public-house, observes—

"And what are the chief obstacles? The objections upon the score of the comparatively infinitesimal attendant superintendence and expense being happily obviated by the promoter of the reform, the sole impediment seems to be that dead mass of religious Pharisaism and prejudice which has ever proved an almost insuperable barrier to the impartial consideration of this important subject. And what is the chief plea upon which the non-church-going masses are now condemned to abandon to the public-house that Sunday leisure which might otherwise be devoted to innocent amusement and rational recreation? That irrepressible bugbear of the Continental Sunday, upon which there is really more quietude and less drinking, is of course trotted out, likewise the equally plausible but still ill-timed scarecrow extreme of theatre opening; but this species of Sabbatarian intimidation has long ceased to alarm."

Well, Sir, it may be very stupid on the part of this mass of religious Pharisaism and prejudice that they cannot see just as the members of the Sunday League see in this matter, and that they will learn wisdom by the experience of our friends on the Continent, and endeavour to avoid the evil which their mode of Sunday observance has entailed upon them. But however inconvenient and unpleasant it may be to my hon. Friend, I fear we must not close our eyes to what is going on in the world around us, or ignore the danger which threatens us. Sir, Paris has for ages past enjoyed the wonderful advantage of having her museums, picture galleries, theatres, and other places of amusement open on Sunday, and her races and reviews are generally on that day. Has the result been so satisfactory as to induce us to follow her example; or is it not a fact that thoughtful men both there and in other parts of the Continent, are conscious of the evil consequences of such desecration, and are endeavouring to bring about a better state of things? Will any one who knows both places assert that there is more morality, more social and domestic happiness, or more civil and religious liberty in Paris than we have in London? And, above all, will any one argue that working-men are better off, or have more rest and enjoyment? Is my hon. Friend and Colleague aware that a society to promote the better observance of Sunday has been established on the Continent, and that a Conference was held last year in Geneva, at which I believe I am correct in stating that there were delegates from almost every country in Europe? Pére Hyacinthe was one of the speakers, and, after alluding to the value and importance of Sunday from a religious point of view, he is reported to have said—

"But the Lord's Day is not the day of God alone, it is the day of humanity. This is the true democratic festival, this day of God and man. And yet this is the day which certain friends of the people wish to deprive them of. False friends that cheat them with the name of liberty, thinking only of their bodily needs, and not wisely even of those."

Another gentleman who has seen more of the world than most men living, and who is well qualified to form a correct opinion, writing upon this subject observes—

"Often have I wished that all the working men of England could see the toil and frivolity of a Parisian Sunday. I am sure that the most thoughtful of them, however opposed to Christianity, would be ready to say, as was once said to me by a Leicester rationalist who met me in one of the streets of Paris one Sunday, 'I don't like this, it is so unlike our system of finishing a week's work, taking rest, and then beginning again. Here there is no cessation. Look at those carters how sluggish they seem, as though their life was one endless toil and drudgery.'"

Will the House permit me to read one other extract from a letter written by Mr. Hill, the Secretary of the Working Men's Lord's Day Rest Association—

"On the Continent the Sunday is secularised. They have a so-called free Sunday, a kind of freedom that involves the Sunday slavery of the great mass of the labouring population. The religious observance of the day is ignored. My first Sunday in Paris I shall never forget. I awoke in the morning to the sound of workmen's tools. On going to the window I saw a glazier tapping at the sash with his hammer and knife. A carpenter was also hard at work with his planes and saws. At eight o'clock the roar of the traffic of a great city was in full operation; vans of timber, lime, coal, railway luggage, and numberless other vehicles were driving along. The postman was loaded with newspapers and letters, the scavengers were hard at work, the newspaper kiosks were all open selling the newspapers that are published on every day in the year. I counted 100 men working at the Hotel Continental, which was being erected on the Rue de Rivoli. These men worked not a part, but the whole of the Sunday. Hundreds of women were washing clothes in the washing barges on the river. Shops in all directions were open; hatters, hosiers, mattress makers, gun shops, scientific instrument shops, jewellers, drapers, and umbrella shops, picture dealers, furniture shops, toy shops, in the grandest streets were wide open as on other days of the week. In one of the papers dated 10th Sept., 1876, there were no less than 65 places of amusement advertised as open on the Lord's Day, including 21 theatres, concerts, gymnasia, Palace of Industry, panoramas, museums, skating rinks, circuses, and balls. In addition there were notices of fetes and amusements in many of the suburbs, and of the Sunday races at Boulogne. The cafés and public-houses were open all day long, and all amusements are intensified. The nation has no day of rest. The labouring classes have no Sunday."

Hon. Members who are familiar with Paris must recognize the truthfulness of this description. To the rich, Sunday is there a day of dissipation and amusement, but to young men and women in shops and offices, and to the working classes generally, life is, as described by a Leicester rationalist, one endless toil and drudgery. And yet I have heard my hon. Friend argue that there is more quiet and decorum in Continental cities than we have in England, and he quotes the late rev. Dr. Guthrie to prove this.

Well, Sir, Dr. Guthrie stated that he counted 33 theatres and places of amusement open in Paris on Sunday, and he met many other things which made him almost exclaim with Abraham "the fear of God is not in this place." But he saw only one drunken man and no drunken women; while his Christianity was put to the blush by the disgusting spectacle of drunkards reeling along the streets, and filling the air with horrid imprecations in London and Edinburgh. But does my hon. Friend imagine that Dr. Guthrie attributed the greater sobriety of the Parisians to the influence of the picture galleries and the 33 theatres and other places of amusement he saw open, or that he would have advised us to make a similar experiment. Would he not, like a practical and sensible man which he was, rather come to the conclusion that in Paris the great bulk of the population drink light French wines, while the masses of this country drink strong ale or spirits of some kind. Sir, my hon. Friend and his supporters are very anxious to impress upon us the evil consequences of Sunday drinking, and also to persuade us that opening museums and libraries would lessen the evil by inducing people to forsake the public-houses and seek for higher and more intellectual pleasures. Sir, I do not believe that any appreciable good would be accomplished in that way. My decided conviction is that instead of diminishing, it would greatly increase the quantity of intoxicating liquors consumed, and, perhaps, one of the best proofs of this is that the publicans are almost all in favour of the Motion. But, Sir, who is responsible for all the evil of this Sunday drinking? I and many others think it would be one of the greatest blessings that could be conferred on working men to close public-houses altogether on Sundays, or to provide British workmen public-houses where refreshments for *bond fide* travellers might be provided, but my hon. Friend and his supporters will not allow us. Their argument seems to be—yes, we admit that Sunday drinking is doing a vast amount of harm; that it is robbing unfortunate women and helpless children of the money which ought to be spent in procuring them better clothes and food; that it is increasing crime, and producing poverty, disease, and death. Still, we must oppose all attempts to close public-houses on Sunday; but it is a crying shame that you should allow them to be open and refuse to open museums, picture galleries, and other places of amusement to counteract the injurious influence they are exerting upon the public. It must also, I think, be evident to all those who really look at the question in all its bearings, that just in proportion as you open public institutions and places of amusement, there will very naturally be a demand for additional refreshment stalls and dining-rooms, where intoxicating drinks will be freely consumed, and where large numbers must be employed as cooks and waiters—with their assistants. I want also to ask who is to fix the standard, or draw the line where we are to stop, and not go one step further down the inclined plane on which we are invited to travel? Sir, I doubt not I have the honour of being included in that mass of "religious Pharisaism and prejudice" alluded to "which prevents the impartial consideration of this important subject." Well, Sir, I do not admit the justice of the imputation, for I really have felt it my duty to endeavour to understand the question, and to give it my most careful and impartial consideration. In order that I might be able to do so, I have read a great number of pamphlets that have been sent to me, a great number of articles that have appeared in newspapers, and a great many reports of speeches made at public meetings both by supporters and opponents of the Motion of my hon. Friend, and perhaps an argument used by a rev. gentleman at one of these meetings may help us out of our difficulty. The rev. gentleman is reported to have said—

> "They did not wish to destroy or degrade the Sabbath, but they believed to open free libraries and museums would be a good thing. If it was right to go to the museums on Saturday, it could not be wrong to go on the Sunday."

Now, I think if we follow out this line of argument, it will lead us further than I hope the rev. gentleman would like to go, though not one step further than I believe a great many members of the Sunday League would wish us to accompany them. Sir, there are many hon. Members of this House who think horse-racing a harmless and very enjoyable amusement, that it helps to improve the breed of horses, and should be encouraged. I do not know how far my hon.

Friend shares in that opinion, for he always votes against the Adjournment of the House on the Derby Day; but according to the principle laid down to which I have alluded, if it be right to go to the races on Saturday, it cannot be wrong to go on Sunday. Again, there are many who think that theatres, ball rooms, and music saloons are innocent and enjoyable places of amusement, which, if it be proper to attend on week-days, it cannot be wrong to attend on Sunday, especially as we are informed they have been so successful in promoting quiet enjoyment, good order, and morality in Paris. Well, Sir, I hope we shall not try the experiment of endeavouring to improve our English Sunday by such means. I am perfectly aware that many who agree with the proposal of my hon. Friend have no wish to go so far, and some would perhaps be shocked at the idea of such a thing. But I am equally certain that that is the road along which they are invited to travel, and if they once commence the downward journey, they may find it more difficult to stop than they imagine. We are also informed, on the high authority of the President, that the object of the Sunday Society is, on the one hand, to maintain the value and importance of the English Sunday, and, on the other hand, to do the best they can to improve it. Well, Sir, we have heard of a certain painter who once sent in a bill of a guinea to the churchwarden of Liddington for mending the Commandments, altering the Belief, and making a new Lord's Prayer. The objects proposed by the Sunday Society are not quite so comprehensive, but they are in the same direction. We have also heard of improving people off the face of the earth, and I trust we shall not try the experiment of endeavouring to improve our English Sunday by adopting Continental customs that have done much harm there, and have resulted, not in the liberation, but in the enslavement of the working-classes. Sir, we hear a great deal said about sympathy with the working-classes; but it seldom assumes a very practical form, and we are sometimes tempted to think that, in many instances, if it were not for the pound, shillings, and pence argument, and the desire to pay good dividends, we would hear much less about the good effects of opening such places on Sunday than we are in the habit of hearing. If there is this wonderful sympathy, why should not the directors of the Brighton Aquarium give us some proof of it by admitting the working classes free on Sunday, and thus manifesting their interest in them and liberality towards them. Again, it is argued that the national museums are the property of the nation, and should, therefore, be open to the public. Sir, I hope my hon. Friend does not imagine that he and his supporters constitute the nation. If so, I believe he is greatly mistaken; and if they do not, he will, I trust, admit that those who differ from him are entitled to some consideration, especially if they form the majority, as I believe they do. At all events, whether I am right or wrong in this opinion, I think it must be admitted we have very little evidence to show that working men as a class have any strong feeling in favour of the Motion of my hon. Friend. Certainly, the demonstration attempted to be got up last night in Trafalgar Square, would not warrant us to come to such a conclusion. And my conviction is that the great majority of them are too well aware of their own interest to approve of any measures the tendency of which is to increase their labour without increasing their income. I think I may safely add that those who desire to preserve the rest of Sunday are amongst the most sober, industrious, loyal, and law-abiding portion of the working men of this country. Sir, it has been said that cleanliness is next to godliness, and I think that even in a sanitary point of view our English Sunday is exceedingly valuable, for its proper observance tends to create and encourage habits of cleanliness, good order, decency, and self-respect. There are few more pleasing sights to be seen than the cottage of a respectable artizan or working-man on Sunday morning, where everything is as clean and comfortable as circumstances will permit—

> "And sweetly steals the Sabbath rest
> Upon the world's work-wearied breast;
> Of heaven the sign, of earth the calm,
> The poor man's birthright and his balm."

when his wife and children are neatly, though inexpensively, dressed, and when he is enjoying with them the rest of the day that God has given him—the only day he can call his own—and which, if he is wise, he will let no man take from him. Sir, I am not unconscious of the

Mr. A. M'Arthur

great value and importance of the rest and quiet of Sunday to the religious portion of the community. It is not, however, my intention to detain the House by dwelling upon this part of the subject, except to repeat what I have said on a former occasion—that I believe Christianity has made us what we are as a nation, that Christianity and the Sunday are inseparably connected, and that if we abolish or secularize the latter we shall soon have comparatively little of the former left worthy of the name. But there is another aspect of the question upon which my hon. Friend has not said much, or perhaps thought much, and which I regard as quite too important to be lost sight of in a debate like the present. I have already alluded to the statement made by the President of the Sunday Society respecting the best means of maintaining and using what he very properly regards as the greatest institution the country possesses for promoting the moral and religious education of the people. Well, Sir, my conviction is that, next to the pulpit and the Press, there is no other institution which has done so much to promote the moral and religious education of the people of this country as the Sunday School. At a period when education was not so popular, or so much cared for as it happily is at present, hundreds of thousands of children were taught to read, and received moral and religious instruction, the value and importance of which to them and to the nation it would be impossible to estimate too highly, and I believe it is to this that we are indebted for much of the order, good feeling, respect for the law, and respect for religion which prevail even amongst many who do not attend any place of worship. Almost innumerable instances might be given to prove the beneficial effects of Sunday Schools, but I must not enlarge upon the subject. Some idea of the extent of Sunday School work, may, however, be formed from the fact, that it is estimated there are in England and Wales about 30,000 schools and 500,000 teachers, who are zealously, laboriously, and faithfully instructing between 3,000,000 and 4,000,000 of children and young persons in our Sunday Schools. But it is said Sunday Schools are not now so necessary as they formerly were. I believe the reverse to be the case. The tendency at present is to exclude from day-school teaching all religious instruction, except what is of an elementary and undenominational character, and the strong argument in favour of this is that such instruction ought to be given in the church and the Sunday School. I think it must, therefore, be apparent, that if we desire to promote morality and religion among the masses we must encourage our Sunday Schools. Well, Sir, I believe one of the greatest evils likely to result from adopting the policy advocated by my hon. Friend would be the serious injury it would inflict upon our Sunday Schools and the children who attend them. I have stated that I do not believe opening museums, picture galleries, and similar places would induce men who are in the habit of frequenting public-houses to forsake them, or that it would at all lessen the evil of intemperance; but I do think it might induce men of a better class who now spend their Sundays at home with their families, and send their children to school, to go out and take the youngsters with them to places of amusement, where they would witness scenes and receive instruction that would be injurious to their best interests. Sir, I think all who feel interested in this question, and have noticed the statements made by many of those who advocate the opening of museums and similar places on Sunday, must have been struck with the singular inconsistency of the arguments used. The very rev. President of the Sunday Society, after referring to the fact that ordinary work is carried on in Spain and on the Continent on Sunday, just as upon other days, goes on to state that—

"In the hurry and constant pressure of English life, and with English feelings such a practice would be absolutely impossible and intolerable; and in this respect the Fourth Commandment was even more applicable to the present state of society in England than to the Jews, because rest was more necessary to us than it was to them. On the Continent, not only was work carried on on Sunday, but all kinds of amusements were provided even more copiously than on other days. He must, however, decline to sit in judgment on the consciences of others; but they must all feel that it was an immense gain to the solidity and seriousness and elevation of the English character that there should be one day in the week of interruption to those occupations which tended to enervate the body and impair the mind. He thought the general character of the day should not be interfered with by an undue extension of the hours during which museums and similar institutions should be open

on Sunday, nor should the repose of the public servants, who must be employed, be unduly curtailed. The objection to the unnecessary employment of labour was one of the most praiseworthy scruples existing on the subject, and that version of the Fourth Commandment which most commended itself to his mind was that which, after forbidding the work of male and female slaves and beasts of burden, added, 'Remember that thou wast a servant in the land of Egypt.'"

Another friend of mine who has ably advocated the views of my hon. Friend commences one of his papers by stating that, if it can be shown that the opening of museums and similar places would increase Sunday labour, it would be objectionable. Now, Sir, how gentlemen who entertain and express such views can advocate a proposal, the acceptance of which would inevitably lead to the opening of museums, picture galleries, and places of amusement on Sunday all over the Kingdom, which would tend to secularize the Sunday, destroy the rest and social and domestic enjoyment of the day, and enormously increase the amount of Sunday labour is to me a mystery which I cannot solve. Sir, I hope it is scarcely necessary for me to repudiate the idea that I have any desire to deprive artizans and working men of any legitimate pleasure and enjoyment, and I believe that on reflection the great majority of them are too generous and right-minded to wish to deprive large numbers of their fellow-labourers of their just rights for their own gratification. Nor do I think this at all necessary. We have an old adage, "Where there is a will there is a way," and I believe there never was a time when it was less necessary to open museums and picture galleries on Sunday than it is at present. People do not visit such places every week, and some of us find it difficult to visit them more than once or twice a-year. The Saturday half-holiday is now customary; we have more general holidays than we formerly had, and very large numbers of our operatives take Monday to themselves. They ought, therefore, to find no great difficulty in visiting museums and galleries occasionally, as other people do. And even if these national institutions were open on Sunday, we all know that the number they can contain would be only an infinitesimally small portion of the working classes. Of one thing, however, I am quite certain, that we have sadly too much Sunday labour already; that there are tens of thousands in London, and hundreds of thousands throughout the Kingdom who have to work like slaves—who never have a Sunday for rest or enjoyment, and who, in this respect, are positively in a worse position than even our convicts. I have before me an estimate, or rather a list, of the number of men already employed in various ways on Sunday; but I must not trouble the House with the details. I think, however, we may safely infer that there are upwards of 1,000,000. Every additional institution you open will add to the number of those who must work on Sunday, and who will enjoy the privilege, as many do at present, of giving seven days' work for six days' wages. I have already referred to the Parisian Sunday—will the House permit me to give one other quotation upon the subject from a letter written by a Gentleman who is a large employer of labour, and who was a Member of this House during the last Parliament. The writer was obliged to spend last Winter in Algiers for the benefit of his health, and the letter was addressed to his brother, on the occasion of his son coming of age, when there was a festive gathering of the workmen in honour of the event—

"Please remember me to the workmen. Tell them how glad I should have been to be present, and what pleasure it would have given me if I had found myself in possession of sufficient voice to say a few words to them about the country I have been visiting. Amongst other advantages which they enjoy over the working people of Algeria is the day of rest. Labours goes on here almost without intermission. Artizans, labourers, tradesmen, all at work. Algiers is worse in this respect than Paris. If the workpeople are spoken to upon the subject, they reply, as they have done to me, we are helpless. If we were to refuse to go to work on Sunday, there are others to take our places. I have heard people at home dilate upon the thraldom of the English Sunday. I have thought about it since I have been here. Thraldom! Why, it is liberty itself, compared to the thraldom imposed by the incessant demands made upon labour in this country. I have never held a Puritanical view of the Sabbath. I take Mr. Dale's view that it is a privilege. If I had had no previous experience, I have seen enough here to convince me that no portion of the population has so deep an interest in the maintenance of the day of rest as the working class."

Sir, when I state that the extract I have read is from a letter written by Mr. James Howard, of Bedford, I think it will be admitted that he is a good authority, and that there are few men in England better qualified to form a correct

opinion upon this question than he is. But we are assured by another able advocate of my hon. Friend's Motion, that "working men have learnt tolerably well how to take care of themselves." Sir, I rejoice to believe that working men are becoming more intelligent every year. But is it not a fact that large numbers of them are even now altogether unable so far to take care of themselves as to avoid Sunday labour and incessant toil? I was speaking, a few days ago, to a conductor on one of the tramway cars, and he told me he worked 15 hours every week-day and 16 upon Sunday, which was the hardest day he had. I know the case of a man who for upwards of five years has never had a Sunday to himself, and when asked why he did not insist upon one occasionally, his reply was—

"Some of the men get tired and take a Sunday, and when they return to work on Monday they are informed that their services are no longer required; but," he added, "I have a wife and four or five children to provide for, and I cannot afford to be independent."

I know of another case of an omnibus conductor or driver who for 15 long weary years never had a Sunday's rest, and who at last, broken down by incessant toil, sunk into a premature grave. I do not want to trespass unnecessarily upon the time of the House, or I might give hundreds of similar illustrations. Let me, however, give just one more. We are told that men engaged on Sundays should always have some other day of rest. That is very good in theory, but how is it in practice? I visited Kew Gardens a few days ago to ascertain what was the rule there, and I was informed by one of the officials that he never had a Sunday to himself, or a day in lieu of it. I said, in reply—"But you have the morning; as I observe, you don't open until two o'clock." "Yes, sir," he said, "but even one Sunday in the month would be a great boon to us." Sir, it is just as I have stated. In nearly all such cases of Sunday work it is incessant toil, and six days' wages for seven days' work, and I cannot help arriving at the conclusion that those who advocate the policy recommended by my hon. Friend would prove themselves greater benefactors and truer friends of the working classes if they would devote their energies to the amelioration of the condition of the over-worked, down-trodden and oppressed who so greatly need sympathy and help, instead of advocating a policy which must increase the burdens and be injurious to the best interests of the classes whom they desire to serve. I must not detain the House longer, and I will conclude in the eloquent language of Emerson, a man who will not be accused of narrow-mindedness or want of sympathy with the masses, by any of those who are acquainted with his writings—

"Two inestimable advantages Christianity has given us—first, the institution of preaching, the speech of man to man; and secondly, the Sabbath, the Jubilee of the old world, whose light dawns welcome alike into the closet of the philosopher, into the garret of toil, and into prison cells, and everywhere suggests, even to the vile, the dignity of spiritual being. Let it stand for evermore a temple which new light, new love, and new hope shall restore to more than its first splendour to mankind."

MR. LOCKE said that his hon. and gallant Colleague (Colonel Beresford) had not, previous to the delivery of his speech, said a word to him (Mr. Locke) in relation to the course he intended to take on this question, otherwise he might, on one point, at all events, have prevented him falling into error. His hon. and gallant Colleague had opposed the Motion, but he (Mr. Locke) begged to inform him that no fewer than 3,233 of the electors of Southwark were in favour of the object contemplated by the Motion. He had been Member for Southwark for 20 years, and he had never heard that the opinion of the borough on this question was such as had been represented by his hon. and gallant Colleague. Passing from that point to the question itself, he wished to ask the hon. Member for Leicester (Mr. A. M'Arthur) whether he was aware that there were places within a few miles of London containing some of the finest pictures in the world which were open to the public on Saturday afternoons. Where, then was the difference of going out of London, say to Richmond or to Hampton Court, to look at the pictures, and their remaining in London for the purpose, if they were permitted, of visiting the National Gallery? In the former case, they went into the country, took their dinners comfortably, and then came home again in the evening. Were persons who thus acted to be placed in the category of miserable wretches, undeserving the confidence of anybody, because they thus made themselves com-

fortable? He should like to know where the wrong in such conduct existed. Where was its harm? Well, if it were not wrong outside London, where could be the wrong inside London? What possible difference could there be between the conduct of the people who went out of the metropolis to look at pictures and the conduct of those who remained at home to do the same thing? Common sense itself ought to direct them towards a proper conclusion in the matter, and he trusted that a greater number of hon. Members would vote for this Motion than on any previous occasion.

COLONEL BERESFORD: I desire to say that I have not spoken to my hon. Colleague for more than a moment during the last month. In fact, I believe my hon. Colleague has not been in the House more than once during that period.

MR. LOCKE denied that he had been absent for more than a fortnight, and that had been for a sufficient reason.

MR. W. H. SMITH wished to say a few words on this question, both in his capacity as a Member of the House representing a very large constituency, and to some extent as a Member of the Government. The question had been often raised, and if he were asked upon the merits of the case which he should individually prefer—to see working men seeking amusement in museums and galleries on Sunday in preference to public-houses and places of resort of an injurious character, no doubt he should prefer the former. But that was not precisely the question raised by the hon. Member opposite (Mr. P. A. Taylor). The question was widely different, inasmuch as the hon. Member desired a fresh departure as far as the State was concerned as to the observance of the Sunday, and the question before the House was, whether it was desirable to change the practice as to the admission of the public which had prevailed ever since the national museums and galleries had been in existence. That he could not but regard as a very grave matter, involving very serious considerations, and he had no doubt that a proposal to open such institutions on Sundays was opposed to the sentiments, not only of the majority of the constituencies, but of the people of this country. Many people who did not regard the mere looking at a picture or the reading of a book on Sunday as injurious, yet viewed with very great distrust proposals like the one under consideration, which advocated the commencement of a new course of Parliamentary policy with regard to the day of rest, so highly valued by everybody. The hon. Member spoke strongly of the impropriety of preventing persons spending Sundays as they were disposed to do; but it was fair to ask him whether the right of private judgment did not come in on the other side. A considerable number of persons were employed in the custody, care, and management of these institutions, and the hon. Member proposed to direct by a vote of this House, that those persons should be employed on a day on which they were entitled by their contract to be free. It would be an interference with the right of private judgment and liberty accorded to those persons, if Government were to turn round and say they must work on Sunday. There was another point to be considered. The tendency of public opinion, at all events during the last four or five years, had been to the restriction of Sunday labour rather than to the increase of it. The local authorities of the metropolis had gradually shortened the period that shops were opened, and had diminished Sunday labour considerably, and in this they were supported by local opinion—the opinion of the persons who were interested, and who were affected by the measures they had taken. It must be admitted that the effect of opening museums on Sundays must be to bring instantly into operation a number of subsidiary means of providing for the refreshment of the visitors to the museums. Public-houses and places of refreshment were now closed during a large part of Sunday afternoon, and would it be possible to keep them closed if large numbers of people came to the British Museum, the South Kensington Museum, and National Galleries from distant parts of London? Taking the proposition as it stood, it involved very much more than stood on the Paper of the House, and the hon. Gentleman in his speech went considerably beyond his proposition. He did not disguise his opinion that he thought it desirable that much more should be done than opening the British Museum and the National Galleries on Sundays. He understood the hon. Member to approve of the

opening of the Brighton Aquarium to paying visitors on Sundays; and, without expressing any opinion on the state of the law, he (Mr. W. H. Smith) would say that if that institution was opened for payment on Sundays, other institutions which existed in great numbers in London, must be opened also. The hon. Member seemed to look forward to the time when the drama might again exert a religious influence. Music had a great power over the minds of men, and contributed largely to their devotional feelings. Were we to prevent sacred music being provided for the people by those who desired to offer it; and if sacred music might be provided, why not classical music, with a view to raising the tastes and educating the masses of the people? If we could not refuse classical music, could we prohibit such an exhibition of the drama as in the opinion of many would tend to raise the morals and the tastes of the people? It would be said he was using the thin-end-of-the-wedge argument, but it was impossible that a proposal of this kind could stop exactly where the hon. Member left it. If adopted, it would instantly branch out into various other directions. Indeed, the hon. Member did not propose to stop there, but courageously avowed that he should feel it be his duty to go still further, and do away with the safeguards with which Sunday had been surrounded. The House must consider what the feelings of the people of the country were, and they ought to consider the feelings of the mass of religious men and women of the country, as well as of the small minority who were advocating this change. He himself attached enormous value to the day of rest which had been preserved for many centuries. Whether working-men desired to go to church or not on Sunday was not the question. The question was, whether they should have the day of rest preserved to them which the practice of this country had established. It was a valuable inheritance, which had much to do with the strength and vigour of the people; it had contributed largely to the power and prosperity of the country, and he trusted that nothing would be done by the House of Commons to weaken or diminish the hold which that day of rest had upon the feelings of the people.

MR. W. E. FORSTER said, he would not detain the House long in stating why he should support the Resolution of his hon. Friend the Member for Leicester (Mr. P. A. Taylor). The hon. Gentleman the Secretary to the Treasury had put forward one argument that could hardly be sustained, when he said that the House by granting the Resolution was asked to take a fresh departure from the present practice. That could hardly be so, when not only the Gardens at Hampton Court, but the pictures, and when the Gardens at Kew and the Parks were all open and when bands played in the Parks. Hitherto, mainly in deference to the opinions and feelings of many gentlemen who were actuated by strong feelings of sincerity, he had felt he could not vote in support of a Resolution of this kind. But really it was a very difficult thing to find a tenable ground for such a position. Looking at the number of young men and women who did not know what to do with themselves on Sunday, even though they went to church once—they could not be always at church—and the very large number who did not go to church at all, some amusement was wanted for them; and if it was not provided for them, they would get something for themselves which, probably, would be a great deal worse. And with that fact there was the other one, that these museums and galleries really belonged to the people. Some desired to go to them and others did not, and he desired them to be opened for those who wished to go. They would get no harm, but would rather get good, and why should they be prevented? Then, again, this position was rather absurd. If the people who wanted to go to the museums and picture galleries liked to take a railway ticket to Hampton Court, they found that they were at liberty to look at the pictures there, but they could not look at the pictures close by their own doors—it might be in Bethnal Green. Well, that was a position he felt he could maintain no longer. He was not doing anything to keep up the sanctity of the Sabbath Day by supporting this inconsistency. It was a pity that the statements of Mr. Bradlaugh and of many who agreed with him had been quoted, because among the advocates of the measure there were many of the warmest supporters of the observancy of Sunday as a day of rest. For a long time he had hesitated, because he feared

lest Sunday play should lead to Sunday work, but he had come to the conviction that there was no reality in that apprehension. There was in London already a great deal of Sunday play—if they could call that play which consisted in walking through the streets and other places which they did not like, and there was a good deal of Sunday work. If the Government were to accede to the Motion, the Secretary to the Treasury would be very rightly asked to incur some expense in providing assistance, so that the *employés* at these institutions should have one day of rest in the week. As to the opening of public-houses and places of refreshment as a consequence of the opening of museums, it must be recollected that the people who would go to them now went somewhere else, and had to secure refreshment in some way. It had been asked by the hon. Member for Leicester (Mr. A. M'Arthur) to what all this would tend—would they not think it advisable to do do everything on Sunday they did on Saturday? Why should they not go to races, theatres, and other places on Sunday as well as on Saturday? He thought there was a way in which that might be met. Let them ask themselves not what they thought it right to do on Saturday, but what they thought it right to do on Sunday. If they thought it wrong to go and look at pictures on Sunday and take their family with them, undoubtedly they would vote against the Motion. But if the enormous majority of them did not think that wrong, why should they prevent their fellow-countrymen from making use of those institutions which, he repeated, belonged to them? The real limit in those matters was not to let their legislation go beyond their own principles. Directly they attempted to impose, on what were called the humbler classes of the community, restrictive measures stronger than they thought it desirable to observe themselves, and to prevent them from doing anything which they did not think it wrong for themselves or their families to do, he believed they would be getting into exceptional courses which would endanger and weaken the authority of the law. He should support the Resolution of his hon. Friend.

Mr. BLAKE, in opposing the Resolution, said, that feeling some little anxiety on the subject, he yesterday afternoon went to Trafalgar Square, to see what was called the great open-air demonstration in favour of the Motion; but he had great difficulty in finding in what part of the square the meeting was held. He asked an inspector of police, who was a better judge of numbers than he could pretend to be, and he was assured that not more than 250 were present. Such a circumstance conclusively proved, in his idea, that public feeling was not so strong in favour of the movement as had been said. The hon. Member for Leicester (Mr. P. A. Taylor) spoke of clergymen who supported his views. He might also have mentioned meetings which had been called to support the Motion, where an amendment was carried against it. He (Mr. Blake) contended that the day of rest was a precious boon to man, and that it ought to be carefully guarded. There could be no doubt the overwhelming majority of Petitions presented to the House had been against the Resolution. He would give his vote most conscientiously against it.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 229; Noes 87: Majority 142.—(Div. List, No. 161.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

CURRENCY LAWS.

OBSERVATIONS.

MR. DELAHUNTY, who had on the Paper a Notice—

"To move for a Select Committee to inquire and report as to the best system of Currency Laws calculated to secure a safe and uniform money circulation throughout Great Britain and Ireland,"

which he was prevented by the Rules of the House from bringing forward, said, it was undoubtedly a scandal and a shame that a different system of money laws should exist in different parts of the United Kingdom, and he was induced to call attention to the matter from a conviction that the laws which it referred to required revision. There were two kinds of money, one "hard money," as the Americans called it, the other credit or paper money. In England there was a mixed currency, and hard money circulated along with paper, because in England, as in France and Ger-

many, no small notes were allowed to exist. In France they had no notes of less than 100*f.*; but the Bank was allowed to issue notes to a much larger extent than was allowed in England. He did not at all approve the restriction placed upon the issue of notes in England, because if, you had a metallic basis, it was quite sufficient security for convertibility. There were no small notes in Ireland up to 1797, when the Bank Restriction Act was extended to Ireland, and no country ever advanced more in prosperity up to that period. If anyone were to take up the description of Ireland given by Arthur Young, and compare it with his description of France, he would find that Ireland had progressed far more than France in the same time. That circumstance he (Mr. Delahunty) attributed to the fact, that in Ireland exchanges were free, specie being allowed to flow into the country with the addition of large notes. When cash payments were resumed in 1822, under the Act of 1819, small notes were not abolished, and the consequence was that both England and Ireland suffered to an immense extent. The agricultural and manufacturing interests were struck down in both countries; but Ireland being the weaker, her banks failed soonest; and in 1822, owing to such failures and the deficient currency circulation, famine broke out and numbers perished It was then that the necessity for an ample currency was seen. In 1825, when the English banks failed, Mr. Huskisson declared that England could not have commerce, trade, and manufactures without money, and she could not have money as long as £1 notes were in circulation. It was held that gold could only circulate with the repression of the £1 notes. Canning, moreover, said it was impossible to have credit money without a metallic basis. When the currency laws of England and Ireland were the same, the circulation of Ireland was equal to one-fourth of that of England and Wales. In 1825 the Bank of Ireland had double the circulation it had now, over £6,000,000 in notes, the entire circulation being over £9,000,000, or fully a fourth of the circulation at that time of England and Wales; whilst at present the circulation of Ireland was not more than one-twentieth of that of England. In illustration of his argument, he would refer to the case of France, which had been able to pay so enormous a war indemnity to Germany, and would ask whether any country with a small-note currency could have done that? Since the late war, Germany had taken a lesson from the French, and was getting rid to a great extent of its small notes, introducing coin in their stead. The Germans, he believed, would see the policy of "going the whole hog," and would adopt the system which existed in France and in England. He only asked for Ireland that which England now enjoyed, and would be satisfied with any currency that could be devised for the two countries. If it was deemed best that Ireland should have £1 notes, let England have them also. But he did not believe that John Bull would accept anything of the kind. They had only to look at the extreme depreciation of property, and especially of railway property in America, and the widespread ruin that had resulted from it, as the consequences of "soft" money, a result which was further borne out by the experience of Ireland in 1822, when the people starved in the midst of plenty, simply because there was no money in the country, and therefore no means of giving them employment. If all the gold money in the world was doubled tomorrow, the circulation in Ireland would not be 6*d.* better of it. He hoped the Government would do the right thing for Ireland in this matter. The late Government had behaved abominably. The Chancellor of the Exchequer was, he believed, a man who had given some attention to financial questions. He told the right hon. Gentleman that from this time forward he should often hear him (Mr. Delahunty) in advocacy of the prosperity of Ireland and of England also, as long as the two countries were united. He only asked for Ireland the same law as England enjoyed. If the right hon. Gentleman did not wish to grant that equality in respect to the currency, let him give Ireland Home Rule, and leave the question to the decision of the Irish people. Mr. O'Connell would certainly have taken up the currency question, when it was debated in 1826, had he not been prevented from doing so by the excitement arising from the Catholic Emancipation agitation; the opinion of that great man, at all events, was known to be strongly in favour of gold. The views which he (Mr. Delahunty) expressed

had been held by all great authorities that he was aware of, including Adam Smith, J. R. M'Cullagh, and John Stuart Mill. Dr. Thomas Cooper, President of the South Carolina College, for instance, held that "no notes ought to be circulated that were not for a greater sum than the highest denomination of coin," the reason being that when there were notes and coin of the same value side by side, the bankers found it to their interest to force the former into circulation. He contended that Ireland had been prejudiced and sacrificed by the financial policy imposed upon her by Dublin Castle legislation since 1825, when the exports of Irish manufactures to England exceeded the exports of England to Ireland. Since then the population and the manufactures of Ireland had declined, and there was no hope of improvement except in the change he had indicated. It was the circumstance of having plenty of specie and plenty of paper money secured upon the gold that had made England, France, and Germany what they were in regard to financial position. That was what other countries were trying to achieve; but they could not achieve it so long as they did not follow the example of England, France, and Germany, and abolish £1 notes. What he asked of the Government was a verdict which should either establish a uniform currency for the Three Kingdoms, or do away with all notes under £2.

THE CHANCELLOR OF THE EXCHEQUER said, no one could deny the importance of the subject and the care bestowed upon it by the hon. Member opposite (Mr. Delahunty), whose views deserved careful consideration, although they might not be able to accept them. Our present system of circulation, though variable, might be fairly described as a safe one. It might admit of some improvements, and unquestionably it was not uniform. He entirely agreed with the hon. Member in saying that it would be a convenience if we could see our way to introduce a uniform money circulation; but when we had got so far, we should find ourselves in a difficulty which the hon. Member hardly seemed to have given sufficient attention to. He had proposed, as the first step of a uniform circulation, to abolish small notes. In doing that, however, the hon. Member would have to vie with Scotland, and there would be found very considerable difficulty in getting the Scotch to agree to the remedy thus proposed. And although, doubtless, the hon. Member was well qualified to speak on the subject, he (the Chancellor of the Exchequer) was not quite sure it would be found that the hon. Member represented the opinion of the whole of Ireland in suggesting that the small notes which now circulated there should be done away with. A good deal of curious evidence on the subject was taken by the Committee on Scotch Banks two years ago. He agreed, of course, with the hon. Member in the general principle that a circulation ought to be secure in having a metallic basis, and a proper law as to the convertibility of notes; but the hon. Member said it was an inconvenience to have so much small paper money in circulation, because we had less gold currency in consequence, and there might be occasions when the possession of a large stock of gold would be convenient. No doubt, but to keep up a purely or a mainly metallic circulation was an expensive arrangement; and a certain amount of paper circulation was a convenience and an economy, if you did not push it further than was required, and if it represented and corresponded with the internal wants of the country. In the case of Ireland there was evidence that such paper circulation did not unfairly represent and correspond with such wants. Going back 30 years and more, in spite of the change in the population of Ireland since 1841, there was some curious evidence of the fluctuation in the total amount of notes issued yearly by the Irish banks. The circulation had continued to be subject to nearly the same fluctuation as between one month of the year and another during the last 30 years; it was lowest in August and September; it expanded in December; it diminished again in June and July; the fluctuations, indeed, corresponded much with the theory of Scotch and English provincial circulation; and from these facts was drawn the conclusion that the issue of provincial notes in Ireland depended much upon the internal trade of the country, and that it was fairly proportional to such trade. If paper money was fairly proportioned to these internal demands, there was no

Mr. Delahunty

doubt it was almost if not quite as convenient as gold; it had some advantages and some disadvantages; but, upon the whole we should gain very little by doing away with it. But when they came to the external demands of a country, as had been referred to by the hon. Member with respect to France, no doubt it was convenient, in case of a sudden demand from any cause, to have a large amount of gold available, and it was the great strength of this country; but if we were to provide the stock of gold that would be required to meet small notes, that would be a financial luxury that would have to be paid for. The hon. Member had referred to the distress and inconvenience caused by the return to cash payments both in England and Ireland in 1822. But although he (the Chancellor of the Exchequer) did not doubt that much of the distress which there was in 1822 arose from the return to cash payments, he must remind the hon. Member that that was a step in the direction of the substitution of a metallic for a paper currency. The hon. Member had asked why, in 1822, the Government did not come to the aid of Ireland, as Huskisson came to the aid of England in 1825. The way in which Huskisson came to the aid of the Bank of England was not in suspending the issue of £1 notes, but in promoting that issue for a time. What he would impress upon the hon. Member was that the circulation of a country regulated itself, and that it was impossible to say they could bring prosperity into a country by dealing one way or another with its circulation, and especially by withdrawing compulsory from it a convenient and economical mode of exchange. The hon. Member had referred to France, and had said that there was a greater amount of money circulating in France than in England. It did not, however, follow that a country was the richer, because of using a larger amount of coin as a circulating medium. It might be that by improved means of credit, such as the Clearing House system and others, a country might be enabled to dispense with the use of a large amount of capital as a circulating medium and to apply it in some other way, and this would be so much gain. While, however, admitting the importance of the question, and the undoubted right of the hon. Gentleman to speak upon it, he could not think that he should be consulting the feelings of the House if he were to enter further into the interesting argument which the hon. Member had presented on the occasion. The discussion for the present could have no practical issue, for, although it was well for the hon. Member to have called attention to the subject, it was not possible to have a Select Committee upon it in consequence of the manner in which hon. Members were occupied at this period of the Session. Moreover, it was the less necessary to have one in consequence of the large amount of evidence on the subject which was taken by a Committee which sat only two years ago.

THE HIGH COURT OF JUSTICE—DESPATCH OF BUSINESS.

OBSERVATIONS.

SIR EARDLEY WILMOT, in rising to suggest — the Forms of the House preventing his moving—

"That, in order to lighten the load of business which now weighs heavily on the High Court of Justice, and also with a view to public convenience, it is expedient to provide more facilities than at present exist for the trial of civil actions in the great provincial centres of England and Wales,"

said, that the matter was important, and that, as things were, it was impossible for the Courts to discharge their duties. From statistics which had been placed before him, it appeared that there had been a large increase in the number of actions in the High Court of Justice since the passing of the Judicature Acts, 1873 and 1875, and that there were now 2,739 actions on the papers waiting to be disposed of before the Long Vacation, but, without greater facilities being provided, it would be quite impossible that that could be done, or that they could be disposed of in a reasonable period of time after the Long Vacation. This involved suitors in much additional expense, and he would urge that additional facilities should be provided. He would call attention to a case which was set down for trial at Manchester on the 10th of last March. The trial could not be concluded in a day, and the Judge was obliged to go to Liverpool to open the Assizes in that town. Ten of the jurors volunteered to go there, but when the case was called, only nine appeared, and counsel declined to go on, and it

had to be postponed. That was an instance in which great expense and delay were incurred, and it plainly showed that some alteration in the present system was absolutely required. Under all the circumstances he hoped his hon. and learned Friend the Attorney General would see the necessity of applying some remedy to this very great evil. Great complaints had been made, and much dissatisfaction had been expressed in memorials to the Lord Chancellor from the Liverpool Incorporated Law Society and the Liverpool Chamber of Commerce, and there was a strong feeling on the matter throughout the country. After quoting at length from these memorials, the hon. and learned Baronet went on to give some statistics showing the state of things at Manchester and at Liverpool. At the last Spring Assizes in Manchester there were 76 causes entered for trial, 39 of them Common Jury cases and 37 Special Jury cases, and only 10 days were allowed for their trial. Only 35 of them were tried, the remainder being referred, withdrawn, or otherwise disposed of. Parties were often obliged reluctantly to consent to have their case referred to arbitration on account simply of want of time to try it. The people of Liverpool and Manchester were perfectly justified in asking that further facilities should be given for the despatch of their legal business. The recommendations contained in the Report of the Judicature Commission of 1872 had been only partially carried out, but no attempt was made to carry out that portion of their recommendations which stated that there should be four sittings in Liverpool and Manchester each year, the duration of which should not be limited. Under the present management the dead-lock which now existed would increase considerably, and he would extend the jurisdiction of such Courts as the Passage Court at Liverpool and the Salford Court of Requests, and also enlarge the area of those Courts, so as to comprise a larger radius. He would also make the sittings for the despatch of civil business in the great provincial centres to be of longer duration than the limited period now given by the Assizes in those places, and in these days of rapid locomotion it would not be difficult to find Judges and counsel, who, by holding continuous sittings, would greatly lessen the expense and delay in the administration of justice, now so reasonably and universally complained of. This, he thought, would do away with a considerable amount of the present inconvenience. With regard to the business in London, the New Courts would not be ready for some time, and as complaints were made that the Judges could not find suitable places in which to sit, the suggestion that Serjeants' Inn might be utilised for this purpose deserved attention. After adverting to the recommendations made by the late Lord Brougham and by Lord Selborne for improving the mode of carrying on the civil and criminal business of the country, the hon. and learned Baronet said he agreed with the hon. and learned Member for Marylebone (Mr. Forsyth) in thinking that the cases of burglary and forgery which were now tried at Assizes should be tried at quarter sessions. As a Recorder of 20 years' experience, he thought that if this were done, and if coining and Post Office cases were also transferred to the quarter sessions, the work of the Judges at Assizes would be much relieved. This would also get rid of the injustice of keeping persons who might be innocent in prison for so long a period as often occurred now between committal and trial. The time had now come when the matter must be dealt with; and the present Government, which was really powerful enough, ought to take some steps to remedy this defect. The time allowed for civil causes at the Assizes was quite insufficient, and not unfrequently caused a scandal in the administration of justice. It was the interest alike of the Bench and the Bar to put an end to the present unsatisfactory state of things.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. HERSCHELL said, it was a great mistake to suppose that the effect of the Judicature Act had been to create a great block of business in the Law Courts. He was prepared, on the contrary, confidently to assert that in the greater number of the departments of the Law, the state of things was now far more satisfactory than it had been at any time since he was called to the Bar. Three or four years ago, if in any trial a point of law was reserved, it was at least a year before it came on for decision. But what

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was the state of things now? There was not at that moment a single case waiting judgment upon points reserved in the Court of Queen's Bench. It was just the same in all other classes of cases; and there were none on the new list but cases that been set down since the Whitsuntide Recess. Appeals from the inferior Courts usually took six months, and perhaps a year before they could be heard. But what was the case now? There was not a single case of appeal of this kind down for argument which had not arisen within the last two months. Again, in the old Court of Appeal, after the decision of the first Court, months and months might elapse before a man could get his case decided in the Court of Appeal, and two or three years before it could be decided in the House of Lords. Now, however, he believed there would not be a case set down before April 1st standing for argument in the Court of Appeal, while he ventured to say that at the termination of the Session there would not be a dozen cases in the House of Lords for argument. Still the list of cases standing for trial by jury was longer than one would like to see it; but the evil was, he had no hesitation in saying, diminishing, and would be still further diminished when some further modifications and improvements, which he admitted were necessary, had been introduced into the system. In short, he felt convinced the system would work if it only got a fair trial, instead of the whole thing being thrown every year into a state of confusion. With respect to the Provinces, and especially the cases of Manchester and Liverpool, he had no wish to conceal that the state of things was by no means satisfactory. At the same time he thought it right to say that there was a class of cases which were entirely unfit to be tried by a jury, but there were litigants and their solicitors who would insist on those cases being entered for trial. Some of the cases alluded to by the hon. and learned Baronet (Sir Eardley Wilmot) were of that description, and ought to have been referred. In the beginning of the last sittings there were 900 cases for trial by jury in Middlesex, whilst at the beginning of the present sittings there were but 800 cases, showing that some progress had been made. Admitting to some extent the existence of the evil complained of, what was the remedy? One remedy was to give a much longer time to the Assizes. But that, no doubt, would bring attendant evils. He thought if the present system were fairly tried with a few modifications—such as a few more Judges sitting at *Nisi Prius*, and arrangements to this effect were being made—there would be comparatively little complaint in London. It was a mistake to treat great towns like Manchester and Liverpool, where there were so many causes to be tried, just as they treated any small town where the causes were few. But what appeared to him an adequate and easy remedy would be to send three instead of two Assize Judges. One Judge should take the criminal work, and attend to it himself. A second Judge should take the Common Jury cases, and the third Judge the Special Jury cases. Parties might then at once arrange their business, and instruct their counsel, and there would be no clashing of cases. There was a good deal to be said in favour of more frequent Assizes. There were at present three Assizes at Liverpool; but they had there a Court practically of unlimited jurisdiction which sat four times a-year, where the Judge was a lawyer and a gentleman of ability, and where pressing matters might be heard. Many advocated a fourth Assize, and the subject well deserved consideration. It was said reforms were objected to because they were against the interests of the Bar; but, in his opinion, the interests of the Bar, properly understood, were the interests of the country, and for himself he must say he would not object to any reform with reference to the interests of the Bar, except so far as the interests of the Bar and the suitors were identical. He believed, however, that it was not in the interest of the public that they should localize the administration of justice too much; and they must be careful not so to alter the existing system as to incur the danger of producing that result.

SIR GEORGE BOWYER said, the question raised by the hon. and learned Baronet (Sir Eardley Wilmot) was one of great importance. Trial by jury was one of the most valuable institutions of the country. Its principle was that questions of fact were to be determined on the belief of 12 men; but he must say that the principle of reference which had long existed in this country was a scandal to the administration of justice;

and ought to be abolished. What was that system? A party gave a special retainer to his counsel; he got his witnesses together, who attended him at great expense to the Assize town; but after all the case was not tried because it was not convenient for the Judge to hear it, because he had to proceed to the next Assize town, or for some other reason. If the case was one that should be referred, there should be some process by which that should be known before the parties had incurred all the expense and trouble of bringing their counsel with special fees and witnesses to trial. After all, the case was referred, not to one of the Judges of the land, but to a barrister, perhaps, without much experience, who heard it day after day in London at an enormous expense. A system like that was an abuse and a scandal to the administration of justice, and it would be better if those cases were placed before men of experience and of ability, but those were the very men who had been retained in cases, and therefore were unable to sit either as Judges or arbitrators. A great difficulty had arisen from the Judicature Act. Pleading had been thrown aside; questions of fact and law were so mixed that the Judge had to pick out the issue. That was a great evil, and he did not know where it would end. It would not be worked out in our time, but it showed that some system lay ahead. The system of administration of justice at the Assizes must be changed. He had no doubt that the time was approaching when there must be a system of local Courts in the great centres of industry and manufactures, such as Liverpool and Manchester, and that more time must be given, in the shape of local Assizes, to decide the questions which arose in those centres.

MR. RATHBONE said, that the improvements effected in the Courts in London had not extended to Lancashire in any degree, because the recommendations of the Judicature Commission had not been carried into effect. That Commission recommended that there should be at least four Commissions of Assize in Lancashire, and the present Lord Chancellor refused to sign the Report, because he did not consider that it provided sufficiently for the immense amount of work to be done. The way in which cases had been referred after all the expense to which suitors had gone was a downright scandal, and the number of references had certainly not diminished. On the contrary, it had increased. The public in Lancashire felt this system to be a real grievance, and they hoped the Government would take some measures to abate the nuisance.

MR. WHEELHOUSE, as representing the largest commercial district after Lancashire, desired to endorse what had been said on this subject by the hon. Gentleman opposite (Mr. Rathbone). Yorkshire had not felt the benefit of the improvements effected by the Judicature Act any more than Lancashire, and nothing that he knew had caused greater dissatisfaction than the state of things, now almost chronic, which prevailed over the North of England. Those who came before Commissioners, as distinguished from Judges, were not satisfied, and could not be expected to be satisfied, with what was done. It was useless to expect that they could actually carry out the Judicature of the High Court of this country, unless they had more Judge power. If anyone, however eminent, not appointed a Judge, were nominated to act, some one would be dissatisfied. That dissatisfaction would be expressed, either with the judgment, with the summing up, or something else, and the case would almost certainly appear in the appeal list in London, where it was very difficult to prognosticate at what time it would be heard. That was a state of things which, in the interests of justice and of the reputation of the Bench, ought not, in his opinion, to be allowed to exist any longer. He would support any reasonable proposition that would afford facilities to the suitors.

MR. MORGAN LLOYD said, the effect of the proposal of the hon. and learned Baronet the Member for South Warwickshire (Sir Eardley Wilmot), to increase the jurisdiction of the County Courts, of the Recorder's Court, and the quarter sessions, and to establish a local Court for Liverpool and Manchester would be to undermine the existing Circuit system, and gradually to get rid of it altogether. The suggestion as to Liverpool and Manchester would involve the appointment of an extra Judge, and for his own part he protested against an increase of Judges for the sake of Lancashire at the expense of other parts of the country. Practically, the proposal

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was to do away gradually with the Circuits, and to establish local Courts on the French system—a change for which he could perceive no solid reason. He thought the Business of the country might be done without any material alteration of the Circuit system. The difficulties might, to a great extent, be overcome by an increase of the existing judicial force; but he thought that something might be gained also by a better arrangement of the Circuits and by grouping together some of the smaller counties for Assize purposes. Provision should also be made for the trial of cases in the district within which the cause of action arose, so that it might not be left to chance whether an action should be tried in one part of the country or in another. The principle of local venues should be adopted, and the place of trial should not be changed except for good cause. Such provisions would tend to spread the business over the whole country, and prevent the accumulation of business in London which had been found so detrimental to the suitors.

SIR HENRY JAMES felt sure that it was very profitable to consider how far the whole system had been affected by recent changes. He was very hopeful as to their utility. No doubt, the fact that they were reforms which at the outset cast new burdens and new duties upon the Judges had caused some little difficulty, but a great step had been taken; and the reforms had been accepted by the Judges with a complete desire of giving effect to the intentions of the Legislature. Very great results had already been obtained, and the Appellate system of the House of Lords had worked most beneficially. Formerly a delay of two or three years before cases could be heard was not uncommon, but that disadvantage had been removed, and the interval of delay before the appeal was now not more than a few weeks. The system, he thought, was very satisfactory. Although these appeals had increased in number and importance, there was a satisfactory account of them, and the final Court of Appeal, the House of Lords, had been relieved from much of the burden cast upon it. A suitor could now have his case heard both in the intermediate Court of Appeal and in the House of Lords within a comparatively short period of time before Judges who were fully capable to determine his case with great discrimination. Considering the short time these tribunals had been in existence, that result ought to be very satisfactory to the public. There might be some complaints yet that had a good foundation, but such complaints must inevitably arise when a new system was commenced. A good deal of inconvenience had arisen from the existing defective accommodation in the Courts, but, notwithstanding such drawbacks, considerable progress had been made in the different Courts; and there was reason for anticipating that when the changes which had been effected had had some further trial, the difficulties that had to be encountered would be dealt with as satisfactorily as cases had been dealt with in our Courts of Appeal. The principal difficulties were experienced in regard to the Chancery causes and the trials at *Nisi Prius*. It might be that we should have to consider whether it was not necessary that an addition should be made to our judicial Staff. If it should be necessary to appeal to the House, he was sure that, supported by public opinion in its determination, it would not grudge an addition to our judicial Staff. It would be a poor and weak economy in this great commercial country if there should not be found for suitors a sufficient judicial Staff to try cases. But much would depend on the Chancellor of the Exchequer. Some economy might be effected in our judicial arrangements. The four gentlemen who had been appointed Official Referees cost the country £6,800 a-year. It appeared from a Return in the Library that in 12 months they had tried 45 cases between them, and that one gentleman—to whom he did not wish to refer, for he was not going back to the question which was discussed last year as to the appointment of Official Referees—during 365 days had devoted himself to the purposes of his office for 80 hours. Allowing six hours for each day he sat for that purpose, that would make 13 days. The system of Official Referees was originally instituted in order that persons who had special knowledge—such as chemists and persons of that description—might sit as assessors and hear certain cases. That system had been tried for 12 months. The public did not choose to go before these assessors. They did not go before them unless they were compelled by a Judge,

and the fact was the Judges sent them a little work to do. But what they wanted was more Judges. The Prisons Bill now being passed through Parliament would show that they required more judicial strength, and he thought some economy might be found in the direction of the £6,800 paid to these Official Referees, who between them had tried only 45 cases in 12 months. That sum would pay the expenses of clerks to do work in Chambers under the direction of a Vice Chancellor, and would also pay the salary of an additional Judge to try cases in Lancashire and other commercial centres. That increase in the judicial Staff would remedy an admitted evil, for the House had recognized the justice of bringing accused persons to trial as speedily as possible, instead of detaining them in gaol for several months until the Judges went on Circuit. Another direction in which they might look for some relief was the Privy Council. The Admiralty appeals had been taken from the Privy Council, and Ecclesiastical matters which used to go before it also to a great extent now went to the Court of Arches; and it being proved already that our Courts of Appeal were sufficient to meet the demands on them, he trusted that as the Members of the Judicial Committee passed away, the Primary Courts would receive such additional strength as they required, and that before long our judicial Staff would be able to meet all the necessities of the public.

THE ATTORNEY GENERAL said, that as the subject had been so thoroughly discussed, he should not occupy the time of the House at any great length. He could not agree with the hon. Baronet the Member for Wexford (Sir George Bowyer) in his ecstatic admiration of the ancient system of pleading, nor in his sweeping condemnation of the Judicature Act. Indeed, he had always thought that the old system of pleading was an impediment to the administration of justice. It was a highly artificial system, no doubt, and it had some excellent characteristics, but it certainly did not secure the most expeditious administration of justice. With regard to the Judicature Act, he agreed with those hon. Members who thought that very great good had been effected by it. It had rendered our system of pleading more symmetrical, more harmonious, and more reasonable; and if no advantage had been secured by the Judicature Act beyond the great improvement it had introduced into our Appellate system, it would have done excellent service. But he believed that other important advantages had been secured by that Act—advantages which would be seen before long when the Act had had more time to work. He quite concurred with his hon. and learned Friend the Member for Taunton (Sir Henry James) that the Judges had earnestly and honestly endeavoured to carry out the provisions of that Act. It was very difficult all at once to get into working order an entirely new system or rule. As to the load of business which, as the hon. and learned Baronet who had brought forward that question (Sir Eardley Wilmot) stated, burdened the High Court of Justice, no doubt it was very considerable; but he thought there had been a good deal of exaggeration on the matter. With respect to the block of business which had occurred in the *Nisi Prius* cases and in the Chancery Division, the figures contained in the Returns on the subject were taken at the end of the Recess and when the Courts had not been sitting for a period; and from those figures he did not think they could come to the conclusion that the number of cases standing for decision in *Banco* was at all considerable. No doubt the number standing for decision in the Chancery Division was very considerable. But a remedy had now been applied, and the Government had in the course of the Session agreed to the appointment of an additional Judge (Mr. Justice Fry) for the disposal of those cases in Chancery. That Judge was a Judge of the greatest ability; his appointment had given the greatest satisfaction to the Profession and the public, and by his aid those arrears would, he believed, speedily disappear. The experiment had been made of appointing him at first without a Staff; but, of course, if it became essential that he should have a Staff, he must have one. As to what the hon. and learned Member for Taunton had said about the Official Referees, no doubt the system of appointing them had not so far proved successful. It was generally thought when the Judicature Act was introduced by the late Government, that there ought to be some tribunal before whom, if necessary, the Judges should be able to send various points arising in

the course of actions, which embraced more numerous questions than they formerly did. That system seemed to be approved, and Official Referees were appointed; but a Return which had been laid on the Table of the House showed that these gentlemen had not been overburdened with work. This, however, was no fault of the Referees themselves, but resulted from the fact that the suitors did not care to have their cases decided by them. At the time when it was proposed to appoint these Referees, considerable objection was raised to the scheme in the House; and it was afterwards found that the system was somewhat costly, and that it was intended to be made self-supporting, and the fees were somewhat heavy in consequence, and had created a considerable amount of dissatisfaction. The Treasury, however, had assented to lower fees being charged for the services of the Referees, and it was possible that they might in future meet with more approval. As to the block of legal business which existed in the large commercial centres, it arose from the delay which necessarily occurred in the disposal of *Nisi Prius* causes in the London Courts. If these causes could be cleared out of the way, it was obvious that more Judges would be available for the business which was in arrear in the country, and he saw no reason why this end should not be attained by allowing Judges to try such causes singly, as was done by the Vice Chancellors in the Equity Courts. He also thought time would be saved, to the extent of one-half, by the more extensive employment of shorthand writers in *Nisi Prius* causes, instead of compelling the Judges to take their own notes slowly and laboriously in long-hand. He could not agree with the observation of the hon. Gentleman the Member for Liverpool (Mr. Rathbone), that the advantages of the Judicature Act had not made themselves apparent in Manchester and Liverpool. It might be that in those places the trial of *Nisi Prius* causes was not facilitated; but it should not be forgotten that points of law were decided much quicker than formerly, new trials were more speedily obtained, and a more satisfactory and speedy appeal was brought about. What were the remedies which it was proposed to apply? Something had been said about Commissioners; but suitors expected to have their causes tried by the Superior Judges of the land, and they had a right to have them so tried. To his mind it was very unsatisfactory to have them tried by Commissioners. A suggestion had been referred to, that while the civil cases were left to the ordinary Judges, the criminal cases might be tried by Commissioners; but it seemed to him of great importance that the criminal business should be dealt with by the regular Judges, in so far as it came within their jurisdiction, and that there would be serious distrust felt if that was not done. The true remedy for the evil which existed, and which he owned was of considerable magnitude, particularly in Manchester and Liverpool, and perhaps other large places, was that which had been pointed to by his hon. and learned Friend the Member for Durham (Mr. Herschell). More Judges ought to go to those places—three, perhaps, instead of two—and if that was done he believed it would be a complete remedy for the evil complained of.

SIR HENRY JACKSON said, he wished to add his testimony to the satisfactory working on the whole of the Judicature Act. No doubt in working new machinery some hitches had occurred, but everybody, Judges, counsel, and solicitors, were becoming more at ease, and were setting to their new duties with a determination to secure the success of the Act. In the Chancery Division he could say of his own knowledge that much of the delay complained of had been caused by the novel introduction of *Nisi Prius* trials into that Court. But the main reason for these arrears was the great increase of litigation, and the probability was it would continue to increase. It was difficult to see how this could be met. Just in proportion as they gave greater facilities for hearing and settling suits, the number of causes would increase. In the Chancery Division that had been the case already, and he anticipated a continuation of that pressure, as long as all cases in that Division had to be heard in London. He did not mean that litigation was not expensive. On the contrary, the cost was too high, and, in his opinion, the evil which pressed on suitors was not so much that of delay as that of expense. To the Chancery Division witnesses were now brought from all parts of the Kingdom for the purpose

of *viva voce* examination, and the expense of keeping them in London was a very serious matter. Sooner or later it would be found, he believed, that the country would not submit to it. No doubt in the other Divisions of the Court the same evil was more or less felt. The present system with its elaborate machinery and its highly-finished accuracy, with its refined pleadings and its numerous appeals, had approached to a logical perfection, and to those who could afford to resort to it secured a highly satisfactory result; but it could not, at the same time, be denied that it pressed very hardly on those who, being poor, could not either assert or defend their rights except at a cost out of all proportion to what was gained. At some time or other a remedy must be found —either by an extension, as suggested by the hon. and learned Member for South Warwickshire (Sir Eardley Wilmot), of the jurisdiction of the County Courts, or in some other way—for an evil which had increased, was increasing, and ought to be diminished. At present, however, public opinion was not ripe for the adoption of such a remedy.

POST OFFICE (IRELAND)—DEFECTIVE POSTAL ARRANGEMENTS.

OBSERVATIONS.

CAPTAIN NOLAN, in rising to call attention to what he considered to be the faulty arrangements in connection with the postal service in certain districts in Ireland, said, that in that country many of the routes of postal communication run from East to West by main roads and railways. In order to keep up the proper work of communication there were cross-country posts, and it was respecting the inefficiency of these that he wished to complain. He knew of cases in which a letter to go four or five miles had to make a circuit of 50 or 60 miles, and there was a tract of agricultural country 57 miles in extent which was totally unprovided with postal facilities. He hoped these representations would elicit a reply from the noble Lord the Postmaster General.

CAPTAIN O'BEIRNE, from his own personal experience, supported what had been said as to the inconvenience resulting from the defective postal arrangements. In one instance a letter from Dublin had occupied six weeks in travelling a distance of 123 miles.

MR. ISAAC said, he could assure hon. Members from Ireland that complaints as to the deficiency of postal and telegraphic communication were not confined to that country alone. The postal arrangements in Nottinghamshire were extremely unsatisfactory, and he thought it was necessary that there should be greater expedition in the postal and telegraph communication throughout the country.

MR. O'CONNOR POWER urged upon the Government the absolute necessity of improving the postal and telegraphic communication in the West of Ireland. He would call the attention of the noble Lord the Postmaster General to a suggestion that had been made that those places where telegraphic communication was deficient should, in the first instance, provide the poles and wires, and must observe that such a condition would be a great hardship upon the inhabitants.

MR. O'SULLIVAN gave instances of the unsatisfactory postal and telegraphic arrangements in different parts of the county Limerick, and expressed a hope that a general inquiry would be instituted with regard to postal communication in Ireland.

LORD JOHN MANNERS said, he must remind the hon. and gallant Member for Galway (Captain Nolan) that on two or three occasions he had gone fully into the question in the House, and that he had further expressed his willingness to consider the matter with him outside the House. The Notice of the hon. and gallant Member was to draw attention to the faulty postal arrangements "in certain parts of Ireland," and how could he expect an offhand answer to so indefinite a Notice? When a detailed account was laid before him, inquiries would be made, and a remedy applied, to remove the want of a proper postal communication. [Captain NOLAN said, that the complaint had reference to the north of Galway.] The proposal made by the hon. and gallant Member last year was in effect that one mail car should be taken off and another put on a different line, but that proposal had been carefully considered, and it was found that the proposed change would not benefit the district, while it would involve increased

costs over and above the dead loss to the Department arising from the present arrangement. The postal system in Scotland was, as regarded cross posts, exactly similar to that in Ireland, and yet no Scotch Member complained of it. However, if the names of the places referred to by the hon. and gallant Member for Galway and the hon. Member for the county of Limerick were sent to him, he should be glad to go into all the complaints, and, if possible, to provide a remedy, but he must have ample time for consideration.

MR. PARNELL thought if a little more attention were given by the Postmaster General to the postal arrangements in the West and South of Ireland, the results would be satisfactory to the Revenue. He also had to complain of the present system of making appointments to local post offices in Ireland, the patronage being practically given to the Members of Parliament representing the county in which the office was situate, provided he belonged to the Party which was in power.

MR. R. POWER stated it was his intention to move for a Select Committee to inquire into the whole matter, especially after what they had heard from the hon. and gallant Member for Leitrim (Captain O'Beirne) that a letter took six weeks to travel a distance of 123 miles.

MR. FRENCH knew that a letter posted in one town in the county Roscommon could not be delivered in another town five miles distant before the second day. He hoped the Government would grant the facilities of postal communication asked for.

THE QUEEN *v.* CASTRO—THE EXPENSES OF THE PROSECUTION—PETITION OF JOHN DE MORGAN.

OBSERVATIONS.

MR. WHALLEY rose to call attention to the Petition of John De Morgan, praying to be heard at the Bar of the House; and to move the following Resolution:—

"That there be laid before this House, a Return of the expenditure in relation to the Tichborne prosecution, specifying separately the sums paid and expended on account thereof, as was done in the case of the Welsh fasting girl, and especially the sums paid to or expended in respect of such persons as were subpœnaed or retained as witnesses on the part of the prosecution but were not called upon to give evidence on the trial, with their names and addresses, and the sums paid to or expended in respect of each person."

No satisfactory account had been given of the expenditure at that trial, and if they wished to calm the agitation out-of-doors, that account should be faithfully rendered. What was the amount paid for witnesses not called? Dr. Kenealy did not call some of them, because he believed they were in the pay of the Government. There were millions of people in the country now who believed that the claimant was the real Tichborne. The Petitions which had been presented to the House showed the Petitioners believed there had been gross corruption and injustice on the part of the Judges who tried the case, and he was prepared to the best of his judgment to prove that there was ample ground for the complaint. ["Oh, oh!"]

MR. ASSHETON CROSS desired to ask Mr. Speaker, whether the hon. Member was in Order in making such observations, the Notice on the Paper being for a Return of expenses?

MR. SPEAKER said, that the Question before the House was that the House should go into Committee of Supply, a Question on which great latitude was allowed, but the hon. Member was very severely trenching on the privileges allowed to Members, and taxing the patience of the House. Although the hon. Member was not, strictly speaking, out of Order, yet it was unbecoming to charge the Judges with improper conduct, as he had done, for if he desired to challenge their conduct his proper course was to move an Address to the Crown for their removal.

MR. WHALLEY, amid great interruption, continued, that he was about to accept the challenge that had been made to him to test the feeling of a public meeting in Birmingham as to this "atrocious conspiracy." The question the House of Commons had to decide was whether the Home Secretary should or should not grant those Returns. He wanted to know how the money had been expended. The particulars of the expenditure were necessary, because, as he understood, the right hon. Gentleman objected to receive any other evidence than that which was laid before the Court. Here was the letter of one of

the jurymen who tried the case, in which he stated that he had been deceived, and that he as well as others desired the information asked for, the names and addresses, and where they could be found, of the witnesses subpœnaed on the part of the Crown to give evidence against the defendant, and who subsequently turned their backs and refused to do so, stating that in the person of the accused, represented as Orton, they recognized Tichborne. These persons had been sent away. If he could not prove these facts, then he should give up his case. That case he rested on the miscarriage of justice. Let the Government give a statement of the expenditure in that trial. That was a reasonable request. The conduct of the Government and of the trial was indefensible. The poor man was even prevented by the Judges to go about to meetings, and to obtain, by a statement of his case, to get even a few pounds to aid him in his difficulties. The vast amount of the public money expended in paying adverse witnesses was to be decried as most unjustly misapplied. He would ask the Government whether they were doing their duty in the cause of order in exercising their mechanical majority, who followed them, without regard to their conscience? ["Order, order!"]

MR. SPEAKER said, the hon. Gentleman was not justified in saying that hon. Members did not act according to their conscience.

MR. WHALLEY expressed his regret that he had so expressed himself, and read a letter from one of the jurors who conscientiously declared his feeling of regret for the decision he had come to. He also called attention to what he alleged as facts—the Government having kept Charles Orton, the alleged brother of the Claimant, two years at the public expense, and their having failed to call him on the trial. What he asked was that the Government should give an account of the money expended in the trial.

SIR WILLIAM FRASER deeply regretted that the hon. Member should have taken advantage of the Privilege of the House to speak in the way he had of Her Majesty's Judges.

MR. W. H. SMITH said, the hon. Member had made a long speech and imputed corrupt motives to those who had faithfully discharged their duty.

Mr. Whalley

MR. WHALLEY rose to Order. He had not said anything of the kind; he had only referred to the Petitions, and had expressed his readiness to support their demand for inquiry.

MR. W. H. SMITH said, the hon. Member had, in the recollection of the House, charged Mr. Gray, the late Solicitor to the Treasury, and others with corrupt motives and with acting carelessly.

MR. WHALLEY again rose to contradict the statement.

MR. SPEAKER said, emphatically, that the hon. Gentleman the Secretary to the Treasury was in possession of the House, and must be allowed to proceed to the end of his speech without interruption.

MR. W. H. SMITH said, the accounts of the expenditure were prepared by the late Solicitor to the Treasury, and had been audited and presented to the House. He deprecated these constant appeals to the House to re-try a case which had already been disposed of by a Judge and jury, and added that there was a limit even to the time, patience, and endurance of the House. It was again his duty to refuse this application, which, with the one exception of the Welsh fasting girl, was without precedent.

Original Motion, by leave, *withdrawn*.

Committee *deferred* till *Monday* next.

SAINT STEPHEN'S GREEN (DUBLIN) BILL—[BILL 167.]

(*Sir Michael Hicks-Beach, Mr. Attorney General for Ireland.*)

SECOND READING.

Order for Second Reading read.

Bill read a second time, and *committed* to a Select Committee.

And, on June 12, Select Committee to consist of Seven Members, Four to be nominated by the House and Three by the Committee of Selection:—Mr. DAVID PLUNKET, Mr. MAURICE BROOKS, Sir PATRICK O'BRIEN, and Mr. ELLIOT nominated members of the Committee:—Power given to the Committee to send for persons, papers, and records; Three to be the quorum.

Ordered, That, subject to the Orders, Rules, and Proceedings of the House, all Petitions presented against the Bill be referred to the Select Committee on the Bill, provided such Petitions are presented two clear days before the Meeting

of the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, or agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the Bill and against the said Petitions.—(*Sir Michael Hicks-Beach.*)

House adjourned at half after One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 11th June, 1877.

MINUTES.]—PUBLIC BILLS—*Third Reading*—Law of Evidence Amendment * (63); Marriages Legalisation, Saint Peter's, Almondsbury * (65), and *passed.*

Royal Assent—Consolidated Fund (£5,900,000) [40 *Vict.* c. 12]; Customs, Inland Revenue, and Savings Banks [40 *Vict.* c. 13].

CENTRAL ASIA—APPOINTMENT OF A CONSUL.—MOTION FOR AN ADDRESS.

LORD DE MAULEY, in moving an humble Address to Her Majesty for the appointment of a Consul to reside in some town in Central Asia, for the purpose of watching over the commercial and territorial interests of British India, said, he was aware that subjects so remote in their consequences as those to which he was about to call their Lordships' attention might hardly attract so much attention as a Turnpike Bill; but unless the evils complained of were dealt with, they might lead to war, or to difficult negotiation. He remembered Lord Palmerston inveighing to an indifferent audience against the provisions of the Ashburton Treaty. Every evil which that noble Lord's foresight predicted had been since verified, and from the supineness of the public and the ignorance of those engaged our Canadian frontier was unprotected. Of ten-fold more importance to us than our Canadian frontier were the events occurring on the frontiers of India. The progress of the Russians had been slow, silent, and certain. They had been fortifying their positions—seizing places of strategic importance—moving cautiously towards our frontier. If he wished for a confirmation of those reports, he would point to a very remarkable book lately published, *The Ride to Khiva*, by Colonel Burnaby, which showed that while every obstacle, natural or artificial, thrown in his way was surmounted by his courage, and every artifice to deceive him was detected by his sagacity; yet he proved the stealthy creep of Russia, and that the feeling was general that a conflict between the two Empires was impending. India was the prize. It was a remarkable fact that the policy of Russia never changed. Peter the Great wished to annex to his dominions a portion of Central Asia. For some reason that policy had been in abeyance for 100 years, when the schemes of his ancestor were adopted by the Emperor Nicholas, who conquered a great part of Armenia, converted the Caspian Sea into a Russian lake, and Astrabad into a Russian fortress. He moved the frontiers of his kingdom from Orenburg to the South of the Caspian—territories larger than France, Spain, and Portugal put together. They might have fancied that acquisitions so vast would have satisfied any man. Not a bit of it. The present Emperor had conquered Turkestan, Khokand, and Khiva; he had united, or was about to unite, the Caspian to the Sea of Aral by a railroad. It only remained to cover the 120 leagues from Astrabad to Herat with rails to bring Russian power to the farthest limits of Persia. On the other side, by improving the navigation of the Oxus, the Russians might be within a fortnight's march of India. We were told that the Emperor was occupied with the social reforms of his kingdom, and that he believed that the present war was only a crusade in favour of religion and humanity. Doubly dangerous must it be to us that a man influenced by such high motives should be unable to forego that instinct of his race for Southern adventure. What was being done could not have been undertaken for the sake of commerce—for commerce with nations whose simple wants were self-satisfied was a delusion: it could not be that the great military Power of Russia feared the desultory attacks of disorganized barbarians. There was only one way to read it—a move towards India. It was a well-known fact that one of the objects of the invasion of Russia by Napoleon Bonaparte was to induce the Czar of that day to join with him in an attack upon India. We had been spared that danger. A man might well have hesitated before he launched his

armies into the then unknown regions of Asia—regions which now formed part and parcel of Russia; but the line which the genius of the French Emperor suggested had been adopted on the South of the Caspian—and what would our position be in the event of war? We should be as helpless to defend our possessions in India as Russia was here in the Crimea. The Caspian a Russian lake, Astrabad a centre for supplies, Herat a Russian town, the Oxus a military stream, a network of railways converging towards the same point. Before we could move an army, hordes of Cossacks would swarm like locusts over our frontier to feed and fatten upon the resources of India. Natural barriers between the two countries had been removed, whole nations had been absorbed into the vortex of Russian power. There were many persons who argued that the interests of civilization were best served by nations sweeping from their path these relics of barbarism—themselves reposing on the opposite sides of some real or imaginary line of demarcation, and living upon terms of amity and of mutual forbearance. If the argument were an European one he should admit its validity. Where the lines of countries were selected with care and guarded with jealousy such an arrangement might be good; but our Empire in India had known no limits, and Russian territory acknowledged no boundary. The two Powers would soon, like the monarchs of old, look each other in the face. It required no spirit of prophecy to foretell the result. Neither did they fight with the same weapons. Our rule in India had been often aggressive, sometimes cruel, but always open; the blow had followed the threat—time and opportunity had been given for acquiescence in our demands. Not so with Russia—undermining the loyalty of nations by intrigue, overcoming them with violence, and then, with a wisdom worthy of the Romans, she incorporated them into her system and made her former foes the ministers of future aggression. He looked upon these wild tribes of Asia as the safeguard of India. If unmolested, they remained our friends; if useless as allies, they formed an outwork to the defences of India. He preferred the human buffer to mitigate or to parry attack; the blow would fall powerless if urged through the existing medium of these wild and inhospitable nations. In the hope of delaying, if not of averting, misfortune, he had given Notice of the Resolution he now moved.

Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to allow the appointment of a Consul to some town in Central Asia which may be selected as most convenient for him, to watch over the commercial and territorial interests of British India."—(*The Lord De Mauley.*)

THE MARQUESS OF SALISBURY: The noble Lord (Lord De Mauley) will forgive me if I say that his Notice hardly prepared me for his references to Napoleon the First, the Czar Peter, the pertinacity of Russian policy, and the general rapacity of the Russian nation. The matters over which the noble Lord travelled appear to me to be of rather too grave a character to be discussed on a Motion such as he moved, if they were to be discussed with that calmness and in that dispassionate spirit which usually characterize debates in your Lordships' House. The noble Lord says that since the days of Peter the Great Russia has never changed her intention—which is to drive England out of India. But I do not think the accusation which the noble Lord makes against Russia is entirely borne out. The policy which he imputes to her could hardly have been initiated by Peter the Great, because he died in 1725, and the Empire of British India was not established till 1757. I think, therefore, we must exculpate the Russian Government from that accusation at least. Then the noble Lord gave an alarming description of the progress of Russia in Central Asia. He represented how a railway was about to be constructed from the Caspian Sea to the Sea of Aral, and that this would considerably facilitate the Russian advance on Merv and Herat. But the noble Lord appears to have left out of his calculation that there are deserts to be traversed, and that perhaps a fortnight or three weeks, but certainly not less than 10 days across these deserts, would be required for the journey between the nearest accessible points of the two territories. I can assure the noble Lord that any danger of a Russian inroad on the frontier of British India is not quite so far advanced as he seems to imagine. The nearest point on the Caspian at which supplies could be gathered by Russia is over a

thousand miles from our Indian frontier. The consideration of the danger to which the noble Lord refers may possibly interest a future generation of statesmen, but that calamity is not of such imminence as to render necessary the Motion by which the noble Lord seeks to avert it. I will not dwell longer on the geographical circumstances, except to protest against the statement of the noble Lord that the Empire of British India knows no bounds. My Lords, the bounds of that Empire are very minutely marked out, especially on the North-Western side. Whatever the Empire of Russia may be, there is no doubt whatever as to what the frontier of British India is. It is perfectly well known. I cannot help thinking that in discussions of this kind, a great deal of misapprehension arises from the popular use of maps on a small scale. As with such maps you are able to put a thumb on India and a finger on Russia, some persons at once think that the political situation is alarming and that India must be looked to. If the noble Lord would use a larger map—say one on the scale of the Ordnance Map of England—he would find that the distance between Russia and British India is not to be measured by the finger and thumb, but by a rule. There are between them deserts and mountainous chains measured by thousands of miles, and these are serious obstacles to any advance by Russia, however well planned such an advance might be. The noble Lord wishes that a Consul should be appointed in Central Asia to watch over the commercial and territorial interests of British India. Now, I think it will appear to your Lordships that those interests ought to be watched over in British India, and not in Central Asia. They ought to be watched over, not by a Consul, but by the Viceroy of India, who uniformly resides in India, and not in Central Asia. The subject is of great importance, and the object the noble Lord has in view is undoubtedly beneficial. The appointment of Consuls in Central Asia is very useful, not for the purpose of keeping Russia in check, but for the progress of commerce. We are always anxious to place Consuls at places in which there is *bonâ fide* trade with Great Britain; but two conditions of such appointments must be steadily borne in mind. In the first place, it is necessary to have the hearty consent of the Ruler of the country, or the appointment will be of no use. In the second place, the country must be so far civilized as that we shall not expose ourselves to the inconvenience of being called on to undertake an expedition such as that to Abyssinia, where the sufferings of a British Consul cost the British taxpayers £9,000,000. I may mention, however, that recently a Treaty was concluded with the Ruler of Kashgar, which gives him the right to ask for a Resident. He has expressed his willingness to avail himself of that right, and Mr. Shaw has been appointed Resident. How long that arrangement may be continued will, of course, depend on the state of that country. Her Majesty's Government are not in the least blind to the advantage of such arrangements, and that they will adopt them whenever they are not likely to lead this country into perilous and costly complications. Though I do not think we shall be stimulated in our policy by the Motion of the noble Lord, I trust he will be satisfied with what I have said in answer to his proposal.

Motion, by leave of the House, *withdrawn*.

CRIMINAL LAW—HIGHWAY ROBBERIES ON BLACKHEATH.

QUESTION. OBSERVATIONS.

LORD TRURO asked Her Majesty's Government, Whether they have had their attention called to a recent highway robbery on Blackheath? In asking the Question, he felt bound to say that the district in question had been until recently perfectly free from serious outrage; though he had been in the habit of passing over the Heath at all hours of the night and day during the last 10 years, he had never met a disreputable character on it, except during holiday times; neither could he call to mind that he had ever met a policeman on Blackheath. But he resided in the neighbourhood, and his premises had been robbed four or five times. He thought there was a want of additional supervision in the outlying parts of the Metropolitan Police District. The inspectors of that force were intelligent and highly respectable men, and nothing could be said against them; but, as the value of property had so much increased in the Metropolitan Police Districts, he thought

that a superior class of men ought to be employed as Inspectors. He begged to ask Her Majesty's Government, Whether any; and if so, what steps have been taken to protect the district from a recurrence of such outrages as those recently reported?

EARL BEAUCHAMP said, that in the case of the outrage referred to by the noble Lord, some delay took place before it was made known to the police, and then the description of the offenders was so vague as to afford little clue to their identity. The outrages of which information had been received were these—on the 28th ult., the carriage of Mr. Hodgson was stopped, and that gentleman compelled to give up his purse by two men of small stature and well-dressed. On the 4th instant two men in dark clothes attempted to stop Mrs. Potter's carriage; but the coachman drove the horses on. Two or three days afterwards two men answering the same description called on the coachman of Colonel Rich to stop; but the coachman declining to do so, they ran by the side of the carriage for a short distance and then went away. No immediate alarm was given to the police in any one of the three cases, though, had it been, there was every probability that the highwaymen would have been apprehended after the attack on Mr. Hodgson, and there was a moral certainty that they would have been after the attack on Colonel Rich. A description given considerably after the occurrence, and stating that the highwaymen were "young, well-dressed, and appeared to have received a good education" was not much of a clue to the police. The police force had been much strengthened on the Heath and the approaches to it; but he thought their Lordships would concur with him that it would not be well to go into particulars as to the measures which had been adopted. He would, therefore, merely add that measures such as those referred to by the noble Lord had already been taken.

THE EARL OF REDESDALE said, that if the noble Lord (Lord Truro) let it be known that when he went out he carried a revolver he would not have much to fear from the Blackheath highwaymen.

House adjourned at Six o'clock, till To-morrow, Eleven o'clock.

Lord Truro

HOUSE OF COMMONS,

Monday, 11th June, 1877.

MINUTES.]—SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES—CLASS II.

PUBLIC BILLS — *Ordered* — *First Reading*—Costs in Actions for Libel (Ireland) * [194]; Public Health Act (1875) Amendment * [193].

Second Reading—Public Health (Metropolis) * [187]; [Public Record Office [182]; Solicitors Examination, &c. * [190].

Committee — *Report* — Metropolitan Commons Provisional Order (*re-comm.*) * [180]; Removal of Wrecks * [181].

Third Reading—General Police and Improvement (Scotland) Act (1862) Amendment * [164], and *passed*.

QUESTIONS.

THE COURT OF SESSION (SCOTLAND).

QUESTION.

MR. CAMPBELL-BANNERMAN asked the Secretary of State for the Home Department, Whether it is not the case that for the last six months only three judges have been sitting in the Second Division of the Court of Session in Scotland, although, by the existing statute Law, four judges are appointed to sit ordinarily in each of the two Divisions of that Court; whether any detriment to the public service in the conduct of the business of the Court has been experienced in consequence; and, if it has been found that three is a convenient and sufficient number of judges to sit ordinarily in each Division, whether the Government intends to introduce a measure for the purpose of making the necessary alteration in the Law?

MR. ASSHETON CROSS, in reply, said, it was true that only three Judges had been sitting in the Second Division of the Court of Session for the last six months. According to the statute law the senior Lord Ordinary could not take his seat in the Second Division until a new Judge had been appointed in case of a vacancy in consequence of the death of one of the Judges. Although no detriment had ensued to the public service, the existing state of matters was not satisfactory, and the Lord Advocate proposed very shortly to introduce a Bill into the House of Commons for the

purpose of reducing the number of Judges by two, and of making one of the four Judges available when wanted in the lower House.

FOREST OF DEAN.—QUESTIONS.

COLONEL KINGSCOTE asked the Secretary to the Treasury, Whether, pending legislation for carrying out some of the recommendations of the Select Committee which sat in the year 1874 on Dean Forest, he will communicate with the Commissioners of Her Majesty's Woods and Forests, urging them to give further facilities to the inhabitants of the Forest of Dean for purchasing waste or other land in the said Forest belonging to the Crown, for building or garden purposes, as provided by the Act 10 George IV., c. 50, s. 98?

MR. R. E. PLUNKETT wished to ask a Question of which he had given Private Notice, Whether the hon. Gentleman could hold out any hope that the Government would undertake any legislation upon this subject during the present Session?

MR. W. H. SMITH, in reply, said he had already communicated with the Commissioners of Woods and Forests, who were under the impression that they did not possess sufficient powers under the section of the Act to which the hon. and gallant Member referred. They had been requested to take the opinion of the Law Officers of the Crown, and if it was found that that section did not give sufficient authority to the Commissioners to sell land for building or garden purposes in the Forest, a short Bill would be introduced with the view of giving them that authority, and also to enable them to lease land in the Forest.

In reply to a further Question from Colonel KINGSCOTE,

MR. W. H. SMITH said, he would undertake to communicate the decision of the Law Officers as soon as it was received.

VACCINATION ACT—PROSECUTIONS—CASE OF JOSEPH ABEL.—QUESTIONS.

MR. JAMES asked the President of the Local Government Board, If it is the case that Joseph Abel has been fined eleven times during the last fourteen months by the local magistrates upon the information of the Board of Guardians of the Farringdon Union for refusing to have his child vaccinated; whether it is the case that the chairman of the convicting magistrates on many of the above-mentioned occasions is also the chairman of the board of guardians, and the costs of prosecution have included in several instances the payment of a fee to an attorney, who is also clerk to the same guardians; and, whether he will take any special steps to arrest, if possible, further prosecutions being taken in his case, in accordance with the instructions issued by the Local Government Board in the course of last year to the Evesham Board of Guardians?

MR. SCLATER-BOOTH, in reply, said, he had made inquiries into the case mentioned by the hon. Gentleman, and had found that Joseph Abel had been 11 times before the Farringdon magistrates within the past 14 months for refusing to have his child vaccinated, but that only on six occasions was he fined. In the other cases he paid the costs of the proceedings, which did not include any fine. The Chairman of the convicting magistrates happened on two occasions—namely, in May and November, 1876—to be the Chairman of the Board of Guardians. On the sixth occasion that a fine was inflicted the prosecution was conducted by the clerk to the Guardians as their attorney, and the magistrates, in their discretion, allowed him a fee of one guinea as a part of the costs. As to whether any special steps had been taken to arrest further prosecutions in this case, he had nothing to add to what he said last August on the subject. The Guardians of the Farringdon Union were made aware last year of the policy which he (Mr. Sclater-Booth) had endeavoured to promulgate in a letter to the Evesham Guardians. But they had exercised the discretion which that letter left to them and had continued to prosecute Joseph Abel, and although his (Mr. Sclater-Booth's) general view was that it was undesirable to institute prosecutions so frequently, he was unable to say that, in their discretion, they had not good grounds for the decision at which they had arrived.

MR. W. E. FORSTER asked, Whether the fee of a guinea to the attorney was not unusual in such cases?

MR. ASSHETON CROSS, in reply, said, that it had struck him as very unusual, and that he had caused inquiries to be made respecting it.

ARMY—ESCAPE OF A DEFAULTING OFFICER.—QUESTION.

MR. E. JENKINS asked the Secretary of State for War, Whether his attention has been called to the following statement in the "Belfast Morning News" of Tuesday, May 29th, in a letter signed "Inquirer," of whom the editor says—

"We are prepared to say that implicit credence may be given to his facts." Referring to the 94th Regiment, "As the matter at present stands it would appear as if certain officers of the regiment have connived at the escape from justice of a man said to have been guilty of a crime. The question presents itself—How is it that the officer alluded to is an absconder. Is duty so laxly performed in the 94th that a prisoner can so easily escape. We know that, accused of a crime, he was placed under arrest and that he broke his arrest, for, leaving the officers' quarters in broad day, he quitted by the barrack gate and fled. But how was it that he was able to do so,"

and, whether, if the above statement is well founded, any inquiry has been instituted into the matter, and with what result?

MR. GATHORNE HARDY: Sir, my attention was called to the paragraph about the same time by the hon. Member's Question and by an anonymous letter in which it was enclosed to me. It is perfectly well known that an officer of the 94th Regiment was charged with an offence. He escaped; but there is no reason whatever, as I am informed, to suspect any connivance on the part of any of the officers or soldiers in the regiment. There was nothing so extraordinary in the case as to make the arrest different from that which is usual in the case of an officer. He was placed upon parole, and he broke his parole and escaped from barracks. There was nobody in charge of him. He was trusted on his word, and he broke it.

LIBERAL AND CONSERVATIVE ASSOCIATIONS.—QUESTIONS.

SIR GEORGE BOWYER: I rise to put the Question which stands in my name. On the 31st of last month the hon. Gentleman the Member for Birmingham (Mr. Chamberlain), the president of the federation to which it refers, made this statement—[*Cries of* "Order!"] Mr. Speaker, I submit that it is quite usual to make a statement of fact for the purpose of explaining a Question, although it is not allowable to use any argument. My hon. Friend the chairman of the society, about which I have to ask the Question, at a meeting of that society, made use of these words—

"We hope the time is not far distant when we may see the meeting of what will really be a Liberal Parliament outside the Imperial Legislature, but, unlike it, elected by universal suffrage, and with some regard to a fair distribution of political power."

I would now ask Mr. Attorney General the Question which stands in my name—Whether his attention has been called to a meeting lately held at Birmingham, where a political society or association was constituted, described as a Federation of Liberal Associations, on the following principles:—All Liberal Associations to enter into a Federal Union, preserving their independence, and separate organisation and administration, but the representatives of such associations to be convened from time to time to consider, by conferring together, the course of action to be recommended to their several associations; the object of the proposed organisation to be secured by the election of a council and committee of delegates of such associations; such associations to have separate and distinct presidents and other officers elected by and to act as officers of such associations, some of which presidents are to be members of the committee of such Federation; whether his attention has been called to Statute 39 Geo. III., c. 79, ss. 2 and 25, with reference to the legality of the said organisation; whether the Government is disposed to test the legality of the said organisation by taking the opinion of the law officers, or otherwise; and, whether such statute ought to be enforced or repealed?

MR. CHAMBERLAIN: If the House will permit me, I will put the Question of which I have given Notice before the hon. and learned Gentleman the Attorney General replies, as it is germane to the Question which has just been put. It is—To ask Mr. Attorney General, Whether his attention has been called to a political society or association, which has existed for several years, called the Na-

tional Union, and which is a Federation of Conservative Associations on the following principles:—All Conservative Associations to form part of this National Union, preserving their independence and separate organisation and administration; but the representatives of such Associations to be convened from time to time to consider, by conferring together, the course of action to be recommended to their several Associations; the object of the proposed organisation to be secured by the election of a council and committee of delegates of such Associations; such Associations to have separate and distinct presidents and other officers elected by, and to act as officers of such Associations, some of which presidents are to be members of such National Union; whether his attention has been called to Statute 39 George III. c. 79, ss. 2 and 25, with reference to the legality of the said organisation; whether the Government is disposed to test the legality of the said organisation by taking the opinion of the Law Officers or otherwise; and, whether such Statute ought to be enforced or repealed?

THE ATTORNEY GENERAL: Mr. Speaker, with the permission of the House I will answer the Questions which have been put to me separately. First, to deal with the Question of my hon. and learned Friend the Member for Wexford (Sir George Bowyer), the statute to which he has called my attention was passed in 1799 for the effectual repression of societies established for seditious and treasonable purposes. [39 *Geo.* III., c. 79.] It recites that—

"A traitorous conspiracy has been long carried on in conjunction with the persons from time to time exercising the powers of Government in France to overturn the Laws, Constitution, and Government, and every existing Establishment, civil and ecclesiastical, both in Great Britain and Ireland, and to dissolve the connection between the two Kingdoms so necessary to the security and prosperity of both; and that to carry this design into effect divers societies have been instituted of a new and dangerous character, particularly the 'United Englishmen,' the 'United Scotsmen,' the 'United Britons,' the 'United Irishmen' and the London Corresponding Societies."

These societies the statute represses by name, and it then proceeds to set forth in very comprehensive terms the circumstances which shall render societies in general unlawful, and it goes on to provide that—

"All who shall, by contributions of money, or otherwise, aid, abet, or support such society, shall be deemed guilty of unlawful combination and confederacy."

The statute then provides that such persons shall be subject to certain penalties and punishments, and, notably, the punishment of transportation for seven years, or imprisonment for two years. Now, the hon. and learned Baronet asks me whether the Confederation of Liberal Associations established by the hon. Member for Birmingham is a society which comes within the prohibitory provisions of this statute. Having given the question my very careful and serious consideration—for it is a question of great difficulty—I have come to the conclusion that, as at present constituted, that Federation does not come within the spirit of the Act, or within its exact letter. With respect to the inquiry of the hon. and learned Baronet, whether the Government is disposed to test the legality of the said organization by taking the opinion of the Law Officers or otherwise, I have no reason to believe that the Government has any such intention; but I beg to point this out to my hon. and learned Friend, it will be quite open to him in the most effectual way to test the legality of this organization, by preferring an indictment against the hon. Member for Birmingham and those who have aided and abetted in the formation of this society; and the only difficulty in adopting such a course seems to me to be this, that if the Court upon the trial of such an indictment should come to the conclusion that the construction of the Act of Parliament which my hon. and learned Friend seems inclined to adopt is the correct one, a sentence of penal servitude or of imprisonment would have to be inflicted upon the accused, the political Friends of the hon. and learned Baronet. But I have no doubt that upon a recommendation to mercy by the hon. and learned Baronet, and upon the accused undertaking forthwith to dissolve the obnoxious association, the Court might be disposed to mitigate the sentence. As to the remaining part of the Question of the hon. and learned Baronet, whether such a statute, ought to be enforced or repealed, that is a question of policy, and not of law, and upon questions of policy I do not feel myself called upon to give an

opinion. With respect to the Question of the hon. Member for Birmingham (Mr. Chamberlain), I find upon perusing it that there is considerable similarity between it and the Question of the hon. and learned Baronet; so much so, that I think that my reply to the latter may, *mutatis mutandis*, be applicable to the former. I beg, however, to add this much—that I have an assurance from the honorary Secretary of the National Union, my hon. and learned Friend the Member for Chatham (Mr. Gorst), who thoroughly understands the constitution and objects of this organization, that it was established not, to use the words in the recital of the statute of George III., "to overturn the Laws and Constitution of the Government," but for the purpose of maintaining them.

FISHERIES—USE OF DYNAMITE. QUESTION.

MR. ERRINGTON asked the Secretary of State for the Home Department, Whether he has yet received any Reports from the Inspectors of Fisheries as to the use by fishermen and poachers of dynamite to destroy fish in the sea and rivers; and, if so, whether he will lay upon the Table Copies of such Reports, and will state what steps he proposes to take to check a practice so destructive?

MR. ASSHETON CROSS: No, Sir. The Inspectors have completed their investigations so far as the sea fisheries are concerned. They are at present considering the question of river fisheries. As soon as I have received the Reports I shall have great pleasure in laying them on the Table.

INDIAN CIVIL SERVICE EXAMINATIONS.—QUESTION.

MR. LYON PLAYFAIR asked the Under Secretary of State for India, Whether the Civil Service Commissioners have proposed any modifications as to the subjects of Examination for Indian Civil Service Candidates under the new Regulations; and, if so, whether they have been approved by the Secretary of State for India, and will be laid upon the Table of the House at an early date?

LORD GEORGE HAMILTON: Sir, a letter was received last week from the Civil Service Commissioners, stating the modifications which they propose to make in the subjects of examination in the competition for the Indian Civil Service. This letter is now under the consideration of the Secretary of State, and there will be no objection to lay it upon the Table of the House when a decision has been arrived at.

CRIMINAL LAW—RELEASE OF POLITICAL PRISONERS.—QUESTION.

CAPTAIN PIM asked the Secretary of State for the Home Department, If he can hold out any hope of the release of the Fenian Prisoners still undergoing penal servitude, provided they give their word never again to participate, directly or indirectly, in any treasonable practices, or that they will at once leave the country not to return?

MR. ASSHETON CROSS: I must once more express my objection to these persons being considered, treated, or called Fenian or political prisoners. The contention of the late and of the present Government always has been that they are not political prisoners in the true sense of the word. I can only say, what I am sorry to say I have said once or twice before so far as regards two of them—there are only six of them altogether. With regard to those two they were, in the opinion of the Government—and I believe in the opinion of the country also—found guilty of murder. So far as they are concerned, I can only repeat that which I have said before, that the law in their case must take its course. Their case has been brought under the consideration of the Government, just as those of other persons convicted at the same time. The only other case of a civil prisoner is that of Davitt, of whom I have nothing to say. The Prime Minister last year went at considerable length into his case. He and another man named Wilson were both convicted at the same time, and Wilson was sentenced to seven years' penal servitude, and this man to 15 years. The learned Judge who tried the case—the Lord Chief Justice—expresaly stated that owing to special circumstances, to which I need not now refer, a marked distinction must be made between the two cases. The matter was brought under the notice of the Government at the time Wilson had worked out his sentence—that, I think, was the end of 1875—and it was again stated that there must be a

marked distinction between the case of Wilson and that of Davitt. How long it may be necessary for Davitt to remain in prison is another matter. The Prime Minister stated that was a question which would receive the anxious and careful consideration of the Government; but it is not necessary he should remain in for the full term of 15 years. With regard to the other three, they are all soldiers; and in the case of soldiers questions of military discipline must necessarily enter into the consideration of any person who has to consider this matter; and in this case I must refer the hon. and gallant Member to my right hon. Friend the Secretary of State for War.

MR. O'CONNOR POWER said, he should conclude his observations with a Motion. The right hon. Gentleman, in answering the Question, had entered upon a subject not contained within the compass of the Question, which the hon. and gallant Gentleman opposite had so carefully framed that the word "political" was nowhere to be found in it. The term "Fenian prisoners" as applied to these men, was scrupulously accurate, and the right hon. Gentleman went out of his way and violated the custom of the House in introducing it. He had also repeated the statement that those persons were not to be regarded as political prisoners. He (Mr. O'Connor Power) entered his protest against such an assertion; they were political prisoners, and it was shelving the question and avoiding the point at issue for any right hon. Gentleman to assert that they were not. There was no parallel to be found in the history of civilized nations for the manner in which these Fenian prisoners had been treated by the present Administration. Her Majesty's Government had been obliged, in order to save themselves from the odium that must attach to their exceptional conduct, to protest from time to time that these men were not political prisoners. He (Mr. O'Connor Power) asserted, in the name of his constituents, and he believed also on the part of the majority of the Irish Representatives, that they were political prisoners; and he could assure the right hon. Gentleman that upon no occasion would a Representative of the Irish people allow him to attempt to stain the character of these men by comparing them to wife murderers, burglars, or common offenders. He moved the Adjournment of the House.

MR. BIGGAR seconded the Motion.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. O'Connor Power.*)

MR. PARNELL said, a debt of gratitude was due to his hon. Friend the Member for Mayo—["Oh, oh!"]—whatever hon. Members on the other side might think, for drawing the attention of the House to the deliberate way in which the Home Secretary had tried to shelve this question. The right hon. Gentleman had endeavoured to avert from the English people the stigma which must always attach to them for their treatment of their political prisoners during the past 10 years by putting the latter in the same class as ordinary felons and convicts. He protested against such a course; these men were in every sense of the word both political and Fenian prisoners. Davitt was convicted of treason-felony, and was that a political offence or not? He could not trust himself to speak further, and he would only remind the House how time after time cases of cruelty and ill-treatment had been proved to demonstration in the House, and time after time the Government officials could not deny them, and yet they were in the same position as six years ago, and there was no alleviation in the treatment of the prisoners, which was worse than that of the worst of criminals.

MR. MITCHELL HENRY regarded it as a remarkable circumstance in the Answer of the right hon. Gentleman the Home Secretary that he had dealt with the case of three prisoners only, while he had referred to the Secretary for War as an authority in the case of three of the other prisoners. It was not a very happy circumstance, and one that ought not to be passed over. It would appear that these men were detained in prison because of the fear of the effect of their release upon the Army. If they were to look to the military authorities, it would confirm as more or less correct the rumours current in Ireland and elsewhere that the highest authority at the head of the Army stood between these prisoners and an amnesty. If the declaration they had heard were correct, he must look at the matter in a totally

different way, and believe that the men were now kept in prison for military reasons, and not because they were political offenders.

MR. SULLIVAN regretted that the right hon. Gentleman the Home Secretary had answered the Question in the manner he had. He had not the slightest doubt of the personal feelings of the right hon. Gentleman, and believed that he would be rejoiced if he could make a more pleasing statement; but he undergauged the depth of feeling in Ireland on the subject when he supposed he could induce hon. Members around him to run away with the idea that these men were murderers or common criminals. Whatever might be thought in England, the sympathy of the Irish people was not aroused by such crimes. He would recall the fact of Davitt's conviction to the Home Secretary. That man never would have been convicted, unless he had been a political offender. He was charged with the sale and purchase of arms in England, where such a thing would not be a crime unless with political associations. Nor could the legal Advisers of the State have secured a conviction unless on political grounds. How could the Irish Members be patient under the inconsistency which he now charged upon the Ministers of the Crown —that in order to obtain a conviction of the man they pledged their word that the offence was political, and then, to keep him in prison, they pledged their word that the crime was not political. If it had not been proved to be a political offence he committed, Davitt never would have been convicted, and he (Mr. Sullivan) invited the Attorney General to contradict that if it was not so. Yet, to-day, the House was told that these men were to be retained in prison on the ground that their offences were not political. Such an assertion was inconsistent with political truth and fact, and no authority of the Crown or of the Horse Guards would induce the people to believe otherwise.

MR. ANDERSON desired to point out, in reply to the hon. Member for Louth that the state of Irish opinion had nothing to do with the question. It was simply the sentence of a lawful Court which was being undergone, and that sentence could not be altered by the political feeling of the Irish people, for that ought to have nothing to do with it. He felt disposed to agree with the Home Secretary, that these were not mere political prisoners, but that they were that and something more, that was, they were guilty of political offences aggravated in some other criminal way. He would remind hon. Members from Ireland, that although the right hon. Gentleman had said that the law should take its course as to those convicted of murder, he had held out a hope that those not guilty of murder would have some mercy shown them, and that the time for considering it, in the case of one of them, Davitt, he almost said had now come. He hoped that was so, and that before long some measure of mercy would be extended to others of the least criminal.

MR. BIGGAR called attention to those men convicted of the attack upon the prison van, and refused to believe that they would have been convicted of any crime but manslaughter, unless they had been regarded as political offenders. Upon the evidence of thieves and prostitutes of what took place, amid a scene of the greatest confusion, three men were hanged, two suffered penal servitude, and on the same evidence received a free pardon.

MAJOR O'GORMAN said, that the great mistake made by the three men was that they did not succeed; if they had they would have been considered political prisoners. There was now on the Continent of Europe a man upon whose head the price of thousands of pounds had been set by the Austrian Government. He had taken up arms against the Emperor of Austria, and, no doubt, had been the cause of death to thousands of Austrian soldiers. He was a violent politician, and yet now what was he?—Prime Minister of Austria.

Question put, and *negatived*.

MINES ACT, 1872—ALLEGED INFRINGEMENT.—QUESTION.

MR. MACDONALD asked the Secretary of State for the Home Department, If his attention has been directed to the case of John Newry and Co. of the Barrow Hill Coppa Colliery and the Tansey Green Colliery, near Gornall, which appeared in the "Staffordshire Advertiser" dated the 19th May 1877, in which it is stated that firm had been convicted of six infringements of "The

Mines Act, 1872," and for which it was amerced in penalties amounting to nearly £50; and, whether he will deal with this case under the provisions of the 32nd Clause of the Mines Act?

MR. ASSHETON CROSS, in reply, said, that the matter was under consideration, and he would require further information before coming to any conclusion on the matter.

INDIA—AMEER OF AFGHANISTAN—THE CONFERENCE AT PESHAWUR.—QUESTION.

SIR CHARLES W. DILKE asked the Under Secretary of State for India, Whether Her Majesty's Government can without inconvenience produce any Papers relating to the Conference at Peshawur, between representatives of the Indian Government and of the Ameer of Afghanistan?

LORD GEORGE HAMILTON: The Conferences at Peshawur, Sir, were for the purpose of making communications to the Ameer, which if a British Envoy were permitted to reside in the Ameer's territories would have been made through the ordinary diplomatic channels. No change in our obligations to the Ameer has been the result of the Conference, but it would not be consistent with the interests of the public service to publish the conversation.

STOCK EXCHANGE FRAUDS—LEGISLATION.—QUESTION.

SIR GEORGE CAMPBELL asked the Secretary of State for the Home Department, Whether, with reference to the serious division of opinion among the Judges on the question whether Stock Exchange practices, which all consider to be dishonest and immoral in the highest degree, are punishable by the existing Criminal Law, and also to the opinion of the Attorney General, that it is no part of his duty to initiate criminal proceedings against the promoters of Companies, the Government are still considering the expediency of strengthening the Law for dealing with financial and commercial frauds, and of appointing a public prosecutor, who may deal with the delinquencies of the rich as effectually as the police deal with those of the poor?

MR. ASSHETON CROSS, in reply, said, that the hon. Member must be aware that a Commission had been very lately appointed to inquire into the whole subject. He was bound to say that under the circumstances it would be wise to wait for their Report before any such steps as those suggested were taken. He would be quite ready to do so, if the Report required it.

INHABITED HOUSE DUTY EXEMPTIONS.—QUESTION.

MR. THOMSON HANKEY asked Mr. Chancellor of the Exchequer, If he will give directions to the Commissioners of Inland Revenue to furnish the Commissioners of Income Tax and Inhabited House Duty with an enumeration of such trades as are exempted from Inhabited House Duty under the provisions of the 32nd and 33rd Victoria, chapter 14, section 11?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he could assure his hon. Friend that the Government would be very glad to render any assistance in their power to the Commissioners of Income Tax, to whom a debt of gratitude was due for discharging a very troublesome and important duty from merely public spirit; but it would be rather difficult for him to do what his hon. Friend asked him to do. According to the law, every trade properly so called was exempted; but a difficulty arose in certain border cases, as to whether this or the other Profession ought properly to be called a trade. He did not see that the Commissioners could do anything except exercise their best discretion in deciding the cases as they came before them, subject to appeals to the Superior Courts. Some appeals were at present before the Courts and were about to be brought to a conclusion. When those appeals were decided he presumed that the difficulty which the Commissioners at present laboured under would come to an end. Therefore he did not think it necessary to give any special instructions to the Commissioners at the present time.

EDUCATION DEPARTMENT—TEACHING OF COOKERY IN BOARD SCHOOLS.—QUESTION.

MR. LEVESON GOWER asked the Vice President of the Council, Whether

he would lay upon the Table of the House the Memorials that have been received by the Education Department from the School Boards of large towns on the subject of the teaching of cookery?

VISCOUNT SANDON, in reply, said, he should have no objection to produce, if they were moved for, the Memorials referred to in the Question of the hon. Member.

RUSSIA AND TURKEY—THE WAR—BLOCKADE IN THE BLACK SEA.

QUESTION.

MR. D. JENKINS asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government has any information showing that the Russian ports in the Black Sea are not effectively blockaded; whether it is true that Russian vessels are proceeding without hindrance between the ports of Odessa and Nicolaieff; whether, in the event of British vessels entering and leaving these ports without hindrance from Turkish cruisers, Her Majesty's Government will allow such vessels to be interfered with by the Ottoman Porte on their return through the Bosphorus; and, whether the Turkish Government should be notified that Her Majesty's Government will not recognise any blockade which is not effective as prescribed by the Declaration of Paris?

MR. BOURKE, in reply, said, no official information had been received at the Foreign Office as to whether the blockade of certain ports in the Black Sea was inefficient. They had, however, received information from private sources that certain vessels which before the blockade were in the habit of running between Nicolaieff and Odessa had run again between those two ports. That was all the information he could give him on that point. With regard to the third part of the Question, he had to state that no case of that kind had occurred, where there had been any interference on the part of the authorities of the Porte. If any case of the kind did occur, of course, it would depend entirely on the facts of that particular case whether it was illegal or not. If a vessel were captured, the case would be taken before a Prize Court for that Court to decide. The House would, therefore, see it would be inexpedient for him to answer a question of a hypothetical character, or to give an opinion on the subject before the facts of any particular case were known. As regarded the last part, it was well known that the Turkish Government were parties to the Declaration of Paris, and therefore it was not necessary, in the opinion of Her Majesty's Government to notify that fact to them.

NAVY—MARINE OFFICERS—REPORT OF COMMITTEE.—QUESTION.

MR. GORST asked the First Lord of the Admiralty, When it is expected that the Joint Committee of the Treasury and Admiralty, appointed in February last to consider the scheme for the amelioration of the position of Marine Officers, will make their Report; and whether there is any foundation for the rumour that the scheme has been shelved?

MR. A. F. EGERTON, in reply, said, the Joint Committee referred to had met several times and were proceeding with their investigation. He hoped the Committee would make their Report shortly. There was no foundation whatever for the rumour referred to.

COAL MINES—TYNEWYDD COLLIERY EXPLOSION.—QUESTION.

MR. HUSSEY VIVIAN asked the Secretary of State for the Home Department, Whether any decision has been come to repecting the miners who took part in rescuing the men from the inundated colliery, and who should be recommended to Her Majesty's consideration as proper recipients of the Albert Medal?

MR. ASSHETON CROSS, in reply, said, that a very careful investigation had been made, and that certain recommendations had been submitted to Her Majesty. He hoped to be able before long to state them to the House.

PARLIAMENT—ORDER OF BUSINESS.

QUESTION.

MR. WHITBREAD asked, Whether the Valuation of Property Bill was likely to come on for discussion on an early day?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he could not give an immediate answer to the Question. At present the Government were anxious

to finish the Prisons Bill and Universities Bill. Then they were backward in Supply and must get some Money Votes before the end of the month, in order to avoid the necessity of taking Votes on Account. Again, it was important to introduce the Indian Budget as speedily as possible, and he should be very glad if it could be brought forward in the course of this week. These measures must necessarily take precedence of the Valuation Bill.

MR. FAWCETT thought it desirable that Notice should be given as to the day on which the Indian Budget would be brought forward, and said he would put a Question on that subject to-morrow.

ORDERS OF THE DAY.

—:o:—

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ADMINISTRATION OF IRISH AFFAIRS.

RESOLUTION.

MR. BUTT, in rising to move—

"That, in the opinion of this House, it would conduce to the better administration of Irish affairs if a department, such as the Local Government Board and the Commissioners of Public Works, were presided over, as is the case of corresponding departments in England, by a responsible Minister not incapable of sitting in Parliament,"

said, that a great deal was done in Public Business by Departments. He did not wish to say anything about Education as a change was to be made; and it would be well to wait for that. But the Local Government Board in Ireland exercised a great deal of control over the Poor Law and municipal government in Ireland, and he wished to show the necessity of establishing a system such as in England brought the control of Parliament directly to bear on the management of the Board. The right hon. Baronet the Chief Secretary was only nominally a Member of the Board, for it could not be supposed that he could take an active part in their work. He (Mr. Butt) wished for a responsible Minister who might have a seat in the House. The House would never have an efficient control over Irish affairs until some such official was appointed. Again, the Board of Works had many very important functions, and had the control over a great deal of money and other property. One of its duties was the regulation of the Royal Parks. As an instance of the want of proper controlling power, he would refer to the lamentable conflict which took place in Phœnix Park some seven years ago between the police and the people. He would not go into the affair, except so far as to show how divided was the rule and responsibility of such affairs in Ireland. Some persons determined to hold a meeting in favour of obtaining the release of the Fenian prisoners, somewhat in the style of the London meetings in Hyde Park in favour of reforms in England. The Law Officers decided that if the people got into the Park, it would be impossible to prevent a meeting being held; but in the Phœnix Park, the people were allowed to assemble, and then they were violently disturbed by a body of police. The property was, no doubt, that of the Sovereign, but the management was invested in the Commissioners of Public Works, who alone had power to prohibit the meeting. The Chief Secretary admitted no responsibility for the affair when he was examined at the trial, and had not thought it his duty to give the Under Secretary the necessary instructions. Here, then, was a very strong illustration of the want of responsibility, and it was plain that these Boards were nothing more than shields for the higher officers of State, who really ought to be responsible. Even the Commissioners could do nothing without formal instructions. Their Secretary had been examined, and it appeared that there were three Commissioners who never consulted together or any of recorded their proceedings. No minutes had been taken for two or three years of a Board supposed to administer the whole of the Irish Land Act. Now, in a matter such as an illegal meeting, it could not be right that both the Chief Secretary and the Commissioners should repudiate all responsibility. A Minister having a seat in Parliament, as he had said, should be at the head of the Department of Public Works, and if there were such an official, public opinion would be brought to bear upon the de-

tails of Irish administration. He believed the worst government in the world was government by Boards, and he trusted that the authorities would, by the change he advocated, help to educate and stimulate public opinion. The number of officials in the House of Commons was surprising. There were, he thought, 37, but of those only two were Irish officials. There would be no difficulty in finding the official required. He could himself suggest several hon. Gentlemen on the opposite side of the House who would be perfectly qualified for the position; and it was his opinion that if they had these administrative Departments to which he had alluded, presided over by men who were Irishmen and whom they could question in the House, it would materially improve the tone of public opinion in Ireland. He had also to complain that the Government did not give Irishmen a chance of being trained in subordinate offices, so as to fit them for the higher offices of State. They had an Englishman at the head of the Local Government Board, a Scotchman at the head of the Board of Works, an Englishman at the head of the Constabulary in Ireland, perhaps the most important office under existing circumstances in the Irish Administration, and an English Commissioner of Dublin police. In fact, wherever they went, they found Irishmen excluded from sharing in the administration of the affairs of their own country. He thought that the strongest reason he could adduce in favour of his proposition was the unhappy affair in the Phœnix Park. He begged to move the Resolution of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it would conduce to the better administration of Irish affairs if a department, such as the Local Government Board and the Commissioners of Public Works, were presided over, as is the case of corresponding departments in England, by a responsible Minister not incapable of sitting in Parliament,"—(*Mr. Butt,*)

—instead thereof.

SIR GEORGE CAMPBELL wished to express his sympathy with the hon. and learned Member for Limerick (Mr. Butt), inasmuch as the inconvenience felt in Ireland was also felt in Scotland. Their Boards were not properly represented in that House, and he hoped the Home Secretary might be able to clear up some doubt which still existed as regarded the responsibility for Scotch Business in that House. In former times, it was supposed that the Lord Advocate was the Minister for Scotland; but at the beginning of the Session the right hon. Gentleman the Home Secretary was pressed a good deal about the responsibility for what was done, or rather, he thought he might say for what was not done, with regard to Scotch Business, and then the right hon. Gentleman distinctly and entirely took the responsibility upon himself. He said that with regard to Scotch Business, hon. Members were to apply to him, and he understood him to lead them to suppose that the Lord Advocate was in reality simply in the position of Attorney General for Scotland. He was therefore rather surprised when the other day he put a Question to the right hon. Gentleman with regard to Local Taxation Returns for Scotland, to find that he referred him back again to the Lord Advocate. Now, although he was not himself in favour of trusting all Scotch Business to a lawyer exclusively, yet if it were the fact that the Lord Advocate was not in reality an Attorney General, but a Minister under the Secretary of State, responsible for Scotch Business, they would have the advantage of knowing where they were and to whom they were to look in regard to Scotch Business. If the Lord Advocate was not to be something more than an Attorney General—if he was not in reality something of the nature of an Under Secretary of State for Scotland, then he would wish to suggest that at the present moment Scotch Members were somewhat ill-used in this respect, because formerly a practice existed whereby a Scotch Member of the Treasury took a very active part in Scotch Business, and did this work as a Minister responsible for Scotch Boards and Scotch affairs, such as was now demanded for Ireland. He understood that was an arrangement which was at one time made, but which had to a great degree ceased. He understood that the office of Scotch Lord of the Treasury was now held by an hon. Member whom he saw opposite (Sir James Elphinstone), but his functions

were not generally very active in that House, and he was not a very constant attendant. [*Cries of* "Oh, oh!"] If he had done an injustice to the hon. Member, he readily apologized; but he understood that the hon. Member opposite did not make himself responsible in any degree for the active conduct of Scotch Business, and that the arrangement which formerly subsisted, by which the Scotch Lord of the Treasury was practically an Under Secretary of State for Scotland, had ceased to be the practice at the present time. Therefore he did hope that the Secretary of State for the Home Department would tell them whether the Lord Advocate was really a responsible Minister for Scotch affairs in all Departments, as well as in his own legal Department; and, if not, whether the Government would take an early opportunity of considering the question whether the conduct of Scotch affairs might not again be conducted through an officer who, drawing a salary as Scotch Lord of the Treasury, should act in the capacity of a *quasi*-Under Secretary of State?

MR. ASSHETON CROSS said, he would remind hon. Members that they were talking just now of an Irish subject, and not of Scotland, and thought it would be well that they should confine their attention strictly to Ireland. He would only observe that what he said the other day was that, as Secretary of State, he was responsible for the Scotch Business in that House. Any Scotch Member who had any grievance to complain of had only to come to him, and he would do his best to see that measures were taken to put it right. That the Lord Advocate gave him the most material assistance was quite true. The Lord Advocate was intimately versed in all the details of administration, and that he received the greatest possible assistance from him he most readily acknowledged, but he (Mr. Cross) was responsible practically for the conduct of Scotch Business in that House. With regard to the particular question of local taxation, he was responsible for seeing that he got the Returns. All he said upon that matter was, that the Lord Advocate would show the hon. Gentleman (Sir George Campbell) at once how easy it would be to obtain the information, and not put him to any trouble. He (Mr. Cross) would undertake that the hon. Gentleman got the information for which he asked.

MR. BIGGAR said, he did not consider that what the hon. and learned Member for Limerick recommended was the best course to adopt. He thought that the real remedy would be for the Irish Secretary to pay more deference to the opinion of Irish Members.

MR. GRAY observed that there was no real responsibility to that House. It was impossible to fix responsibility upon anyone. The right hon. Baronet the Chief Secretary was nominally the President of the Local Government Board; but he took no personal part in its deliberations, and therefore he could not be responsible for it. The real work was left to three gentlemen, who were Poor Law Commissioners, and who were now by virtue of an Act of Parliament members of the Local Government Board; and, without saying anything derogatory to their personal qualifications, he could not admit that they had the confidence of the country. He had known cases in which the Local Government Board had acted in a most arbitrary and unconstitutional manner, but there were no means of getting at them. There was a Bill before that House for the consolidation of the sanitary laws of Ireland, in which the Chief Secretary took a great interest, and there was a great deal of complaint about the obstructive policy pursued with regard to that measure. For himself, he should hesitate to support it, for it proposed to increase the power of a Board in which the country had no confidence and which could not be made responsible. There was a waste of money at the Board of Works, and competent authorities declared that the work could be done for half the money. The Board did things which they would never have dreamt of doing if they had a responsible Member in the House. Take the case of a nice slice of the Queen's Park being given to the nephew of a learned Judge. ["No, no!"] Well, he apologized—it was the son-in-law of a learned Irish Judge. It was a pretty bit of the Park given to him at a rental. Would any Judge dare to ask for a bit of a London Park for his son-in-law? That was a very small case; but it was one of many cases, and, rightly or wrongly, there was in the public mind more than a suspicion

that the affairs of these Boards were not well conducted, and it was a serious grievance in Ireland that if there was a complaint, it was absolutely impossible to fix the responsibility. It was useless to have a nominal representation in that House who had more important duties to perform, and whose responsibility to that House therefore practically ceased.

MR. BRUEN said, he felt himself unable to join in anything like a censure upon the present mode of conducting Irish Business. Judging from some of the expressions made use of, it might almost seem as if blame was to be attached to the Chief Secretary. ["No, no!"] He was glad to hear the disclaimer, as he would otherwise have been compelled to demur to such an assumption. The right hon. Gentleman had never shirked his responsibility; but had always been ready to answer in the House for the manner in which Irish affairs had been conducted. He dissented also from the blame cast upon the public Boards referred to. No doubt, certain acts of those Departments might be found fault with by some persons, but the same thing existed in England. If, however, the Motion was intended to imply that the present head of the Irish Department in this House was a very hard-worked Minister, he entirely concurred in it, because he believed there was no Member of the Government who had more arduous and difficult duties to perform.

MR. BUTT disclaimed the slightest or any intention whatever, in bringing forward this Motion, of making an attack on the right hon. Gentleman. It was the system of which he complained.

SIR MICHAEL HICKS-BEACH said, that he understood that the hon. and learned Member for Limerick (Mr. Butt) was only attacking the system; and, certainly, if he had attacked the way in which his (Sir Michael Hicks-Beach's) own duties were performed, he should not have felt that it would be becoming for him to attempt any reply. However, he desired to express his hearty thanks to his hon. Friend the Member for Carlow (Mr. Bruen) for the opinion he had expressed on that subject. The hon. and learned Member attacked the system on two grounds—first, that the various Departments of the Irish Government were administered rather by Boards than by Ministers personally responsible to that House; and, secondly, that these Boards were not composed of Irishmen, and that Irishmen generally had not a fair share in the Government of the United Kingdom. He did not agree with the hon. and learned Member as to the second objection. The present Vice President of the Local Government Board, and the present heads of the Irish Constabulary and the Dublin police happened to be Englishmen or Scotchmen. But if hon. Members looked to the other persons who controlled those Deparments, he believed they would find that the second in command both of the Dublin police and the Irish Constabulary were Irishmen; that two members of the Local Government Board were Irishmen, and that Irish blood was very fully represented on the Board of Works. He did not think that men should be chosen for such appointments on the ground of their nationality, but on the ground of their being fit for the place; but it had happened that two Irish gentlemen had on his recommendation been appointed, one as a Commissioner of the Local Government Board, and another as the second in command of the Irish Constabulary. But as regarded the composition of the Government, when it was remembered that his noble Friend the Member for Enniskillen (Lord Crichton) and his right hon. Friend the Member for the county of Dublin (Colonel Taylor) were respectively a Lord of the Treasury and Chancellor of the Duchy of Lancaster, it would be seen that Ireland had as great a share in the composition of the Government as Scotland. And when the hon. and learned Member for Limerick hoped that some day an Irishman might rise to the distinguished position of a Member of the Cabinet, he was astounded that the hon. and learned Gentleman should have forgotten that one of the most distinguished Members of the present Cabinet was Lord Cairns, who was an Irishman, and for many years had been Member for Belfast. As to the objection raised that the Government of Ireland was too much in the hands of Boards, he might say, in the first place, that that objection could hardly be applied to the Local Government Board, as was pointed out by the hon. Member for Tipperary (Mr. Gray). He (Sir Michael Hicks-Beach) was the President of the Local Government Board, and he was, to use the

words of the hon. and learned Gentleman's Motion, a "responsible Minister not incapable of sitting in Parliament." No doubt the whole of the ordinary daily administration of the Local Government Board was conducted, and most ably conducted, by Sir Alfred Power. But why was it that the daily administration of the ordinary work had fallen into the hands of the Vice President of the Board rather than the President? Unquestionably, because it was necessary that matters of this kind should be decided by a person actually on the spot. He was not speaking of important matters of policy; he was speaking of the ordinary details of administration, and he thought that it would be impossible for him, having, as he had, other duties to perform here, to attend to such details; while, on the other hand, it would be an unnecessary multiplication of offices to appoint a responsible Minister capable of sitting in Parliament, only for the purpose of presiding over the Local Government Board. The work of the Local Government Board was performed by the Vice President, after consultation with his Colleagues, and when important matters arose, he had invariably consulted him (the Chief Secretary) and acquainted him with what he proposed to be done; and, of course, in all matters of legislation, he was the responsible head of the Department, and he was prepared to answer any charges that might be made. It had been stated that these Boards were not responsible to Parliament. He denied that statement altogether. As a matter of fact, if anything was done by any one of those Boards it was brought before the notice of the House, and some Minister or other was bound, as the responsible Minister, to answer for that act. The hon. Member for Tipperary (Mr. Gray) had referred to Whitefield Lodge. He (Sir Michael Hicks-Beach) must take exception to the statement that the Board of Works had given a residence to the son-in-law of a Judge as a matter of favour; on the contrary, the place was advertized in the public journals, tenders were asked for, and the gentleman who offered the highest tender was, subject to confirmation by the Government, accepted by the Board of Works. What happened? The matter was brought by the hon. and learned Member for Limerick (Mr. Butt) under the notice of that House. He moved for the production of Papers. The subject was re-considered; and in the end, he presumed, dealt with satisfactorily to the hon. and learned Member opposite, for he (Sir Michael Hicks-Beach) had never heard of it since. He could not imagine a more striking instance than that of the fact that, if necessary, any Department of the Government could be reached by a Motion made in that House, to which some responsible Minister was bound to reply. Then, with reference to O'Byrne *v.* Hartington, he certainly recollected that his Predecessor in office (the Marquess of Hartington) had upon more than one occasion been called to account for his share in the action taken to suppress the meeting in the Phœnix Park; and therefore he could not see how it could be said with justice that an attempt had been made to push off responsibility upon the Board of Works. The fact was, that details of local business must be locally conducted; but they were so conducted under the supervision and under the direct responsibility of the Government. If anything was done to which hon. Members for Ireland could take objection, they had always shown themselves ready to bring it forward, they experienced no difficulty in doing so, and if they disagreed with what had been said by the Minister, they could always exercise their privilege of dividing the House against the Government upon the question. He did not see any obstacle in the way of obtaining redress, but he did say that if each and every one of those Departments were all, as he thought the hon. and learned Member would propose, put under a separate Parliamentary official, they would have an infinite and unnecessary multiplication of offices, of which some at any rate would be sinecures; or if they did not have these, they would be all absorbed in English Departments of the corresponding kind. He did not think that the adoption of the second alternative would be satisfactory to hon. Members representing Irish constituencies; and he felt equally sure that the first would not result in any benefit to the country.

MR MITCHELL HENRY said, he did not care much for the appointment of more Irish supporters of the Government to offices either in that House or out of it. It seemed to him that the Government of Ireland was so abomi-

nably bad, and so opposed to everything of what a popular constitution should be, that he could have very little sympathy with any attempts to patch it up. It was based on two principles—first, to reward the most unpatriotic Irishmen that could be found; and, second, to find a shelter for the responsible heads of the Government from everything that was done. Nothing could be more absurd than the constitution of the Irish Education Board. It was composed of a great number of Judges and other persons selected by different Governments, and many of these never attended, except when there was something particular coming on in which they happened to feel an interest. He had also to complain of the anomaly of allowing Sir Richard Griffiths to continue a member of the Board of Works when, from his great age and his residence in England, he could not attend to the duties of the office. He objected to the patching up of this anomalous and objectionable system of government in order to weaken the claim of the Irish people to manage their own affairs.

SIR PATRICK O'BRIEN regretted that the right hon. Baronet the Chief Secretary had not promised that Sir Richard Griffiths's place on the Board of Works should be filled up by someone competent to discharge the duties of the office, seeing that that gentleman remained on it as a mere puppet. He dissented, however, from the observations of the hon. Member for Galway (Mr. Mitchell Henry) as to unpatriotic Irish Members obtaining appointments from the Government. He had seen Irish Members on both sides appointed by different Governments who, in the conduct of Public Business, had evinced an intelligence and an energy that conferred honour on their country. No doubt, the Irish people were entitled to administer their own affairs; but, in the meantime, he certainly advocated Irishmen having a fair share in the administration of the affairs of the country, and thought the Irish people would be very dissatisfied if that were not carried out.

MR. PARNELL thought that no doubt the hon. and learned Member for Limerick (Mr. Butt) had put his finger on a very great evil, and that it would be very difficult in the present state of affairs in Ireland to adopt an adequate remedy. There was no country in the world so much governed by Boards, and everybody who had lived in Ireland must have seen instances where the power of the Local Government Board and of the Commissioners of Public Works had been exercised adversely to the interests of the country, and he (Mr. Parnell) had no doubt that it was equally patent to the right hon. Baronet the Chief Secretary for Ireland. The question was, how were they to remedy the present state of affairs? The hon. and learned Member for Limerick suggested that those two Boards should be represented by a responsible Minister in that House. At first sight, it might appear as if such a step as that might increase the patronage and power of the Government, but that was not so. It would only increase Parliamentary patronage, and would transfer to Members of Parliament offices now held by those who were not Members of Parliament. He did not wish to draw any invidious distinctions with reference to the hon. Gentlemen from Ireland who sat behind the Treasury bench, and he would not say that they did not represent the intelligence of Ireland; but it must be remembered that by the past administration of Irish affairs the Government had put the people of Ireland in direct antagonism to the upper classes and the aristocracy of Ireland. There could be no question that the Irish Conservatives were in a position of very great difficulty in obtaining Representatives in that House, and therefore on that account he could not take it for granted that Irish Members on the opposite side did thoroughly represent the ability, education, and aristocracy of Ireland. From the very nature of the case, it followed that those hon. Gentlemen had been elected under exceptional circumstances, and if the Government were to choose from that body there would be a very limited choice, and he did not think that they could select from among them satisfactory occupiers of office. As to the remarks of the hon. Baronet the Member for King's County (Sir Patrick O'Brien), who had deprecated any attempt to alter the present system, because at some time or other they hoped to obtain self-government for Ireland, he (Mr. Par- [illegible] of those who perhaps held [illegible] views, and he thought [illegible]on of self-government

Mr. Mitchell Henry

should be brought before the House, and if the Home Rule Members were only true to themselves, they would soon place it in a position of importance which it had not acquired up to the present time. The hon. Baronet had told them that he, for one, was not unwilling to make changes which were required now, but which would not be required under a system of self-government; there would be no doubt that under such a system it would be extended to local self-government and municipal government. The hon. Baronet had also said that Members from Ireland sitting on any side of the House, ought not to be precluded from sharing in the Government of the country, or from sharing in the places at the disposal of the Government. But the position of hon. Members on that side of the House was exceptional, and this had been proved by the manner in which offices had been bestowed by the present and past Governments. Those Governments, instead of assigning the offices as a reward of merit and ability, had deliberately given them to men who had prostituted themselves to the ends and aims which the Government had in view. He did not believe it was possible for any English Cabinet, or any number of English Members, to appreciate and understand the real mistakes they made, and he did not believe those mistakes would be corrected until they had a means of local self-government in Ireland which would be appreciated by the Irish people. He further believed it was impossible for the English Government to govern Ireland with a due regard to the interests, or in conformity with the feelings of the country, so long as they adhered to the system, which was that of ruling the country through a garrison, as it was called.

MR. BUTT said, that as he had brought forward the Motion mainly with the view of raising a tentative discussion upon it, he would, with the leave of the House, withdraw it. ["No, no!"]

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*.

ROYAL IRISH CONSTABULARY.

OBSERVATIONS.

SIR COLMAN O'LOGHLEN, who had given Notice to move the following Resolution:—

"That, in the opinion of this House, Cadetships in the Royal Irish Constabulary should be thrown open to public competition similar to that now adopted with respect to first appointments in the Army,"

but which he was prevented by the Forms of the House from moving, said that at present, as far as he understood, the system was this—a young gentleman who sought to obtain a cadetship in the Royal Irish Constabulary must get a nomination from the Lord Lieutenant, from the Chief Secretary for Ireland, or from the Inspector General of the Constabulary. For every vacancy three nominations were given alternately by the Lord Lieutenant, by the Chief Secretary, and by the Inspector General. He considered that this practice ought to be abolished, and that public competitions should take place for the vacancies just as commissions in the Army were thrown open. The Royal Irish Constabulary Force now consisted of nearly 12,000 men, officered by over 200 officers, and he believed there were 26 county inspectors and 200 sub-inspectors. No one could get into this Force as an officer, unless he could get a Government nomination. These nominations were generally obtained through Members of Parliament; but, of course, no Home Rule Member could get a nomination, because he could not approach the Chief Secretary with whispered breath and bated humbleness, and therefore all the nominations went to the small body of Members behind the Treasury Bench. That, he thought, was extremely hard. He was desirous of having this question discussed in the House, after which he thought the present system could not stand. He did not believe that there would be any danger imported into the Force by throwing open the cadetships to public competition. Of course if a system of open competition was established—and he did not see why it should not be as good for the Constabulary as for the Army—proper precautions must be taken against improper persons getting into the Force, but he believed this could be done, and that a Force, which he, unlike some hon. Members on that side of the House, looked upon with approval, could be protected against deterioration. In his belief it was a very efficient Force, and a great credit to the country.

SIR MICHAEL HICKS-BEACH said, that this subject had only very recently

been brought under his notice, since there had been latterly a large reduction in the number of officers; and in consequence, until a few weeks ago, no fresh appointments had been made for some years past. But the competition for three appointments that had just taken place was conducted very much on the principle which the right hon. and learned Baronet had suggested to the House, but with this difference, that instead of the competition being an open one it was limited to five candidates for each vacancy. And if the nomination in one case had been given to the Inspector General of Constabulary, it had not been used as private patronage, but had been made the means of promoting a deserving head constable. The question raised by the Motion was really one between limited competition and open competition, and he confessed that he preferred the former to the latter for the Force. The argument that the same principle should be adopted for the Constabulary as for the Army was an argument that the Constabulary was a military Force; but he denied there was this analogy between the two, and he trusted that no one who ever occupied the position he held would regard the Force in that light. He did not think it possible, under the system of public competition, to take sufficient security for the fitness of candidates for the Irish Constabulary; and he thought it was very necessary that there should be sufficient security that no one should be permitted to enter the Force without proper qualifications. At the same time, it was possible that the present system of limited competition might be extended; in fact, he had already extended it in some degree, and in filling up future vacancies he should be prepared to proceed in a similar direction. Hon. Members from Ireland should remember that up to the present time the Irish Constabulary had been officered almost exclusively by Irishmen; but if the system of open competition was established there might be a large introduction of Englishmen and Scotchmen. He did not say that this would be an injury to the Force; but it would change its character very materially. He promised that the question should engage his attention, and he would endeavour to deal with it on the lines which he had sketched out.

CAPTAIN NOLAN said, he had no fear of the open competition of Englishmen and Scotchmen, for Irishmen had hitherto in all cases held their own very fairly in any public competition to which they had been admitted. As Irishmen were admitted to competitions for admission to many branches of the Imperial Service, and especially to the Indian Junior Civil Services, it would only be right that Englishmen and Scotchmen should be admitted to compete for office in Ireland. He believed, for his own part, that Irishmen had everything to gain by a general throwing open of the appointments to open competition, and he thought that throwing open the appointments in the Irish Constabulary to such competition would tend greatly in that direction. He did not believe that by adopting such a system they would get worse officers than at present, or even of inferior social position. This had certainly not been the case in the Army, but the contrary. The practice of open competition had been to raise the standard of efficiency, and he saw no reason why this should not be the case as regarded the Constabulary. Open competition had been productive of the best results in the Services, as it attracted better educated men. There was no doubt that the Indian Civil Service had been greatly improved by the introduction of open competition, for instead of studying a little for a mere pass examination, they had to study hard to beat one another. On making arrangements at the Castle in Dublin, by political services, or by cultivating social acquaintance, these were the means by which nominations were got. It was very unfair that such privileged persons should have the appointments, and thus keep others out. For that reason he thought the Irish Constabulary ought to be thrown open to public competition, and the same remark applied to all the Services. Let them introduce physical examinations, if they liked; but, whether at cricket or not, let the best men win.

MR. O'SHAUGHNESSY admitted the desirability that a Force like the Irish Constabulary, which had to administer the law, and had besides many official duties, should be drawn from the people as much as possible, and should b[illegible]ersons drawn from all c[illegible]ame time he agreed

with the right hon. and learned Gentleman the Member for Clare (Sir Colman O'Loghlen) that for a Force of that kind the present competitive examination was utterly inadequate for the selection of the proper men. It was impossible to form any opinion as to the tact of a young man by competitive examination, nor could they tell how he would conduct himself in difficult circumstances. In some Departments of the Indian Civil Service open competitions had been attended with success; but in other Departments it had been a failure. Considering the delicate and difficult nature of the duties which the Irish Constabulary had to discharge, they should hesitate before they adopted open competition. With regard to Englishmen and Scotchmen in Ireland he confessed he should not be sorry to see a few in the Irish Constabulary. An Englishman and a Scotchman had very different ideas as to the administration of the law, and as to the rights of those over whom he exercised that administration, from those of Irishmen. They had been accustomed to deal with people who stood on their rights, and who would resist any attempt to infringe their rights—who would in fact, always resist authority when they thought it was illegally and discourteously used. Therefore, an Englishman or a Scotchman might set an example to many Irish officials, who were wanting in the charities of official life, and bring other ideas of administration not only into the Irish Constabulary, but into other Departments of the State. He was always reluctant to say anything savouring of sectarianism, but when they considered the numbers of Roman Catholics and Protestants in the Force, it was easy to say that the proportion of the latter was very great. That, to say the least, was very natural, seeing that the upper classes were to a large extent Protestants. Those who frequented the Castle, whose parents and relatives had held office, had been to a large extent Protestant. He did did not wish to make any suggestion to the right hon. Gentleman the Chief Secretary, as he was quite sure that none was necessary; but he would give a hint as to the undesirability of the system he seemed to approve—selecting candidates from those whose parents, or members of whose families, had been officials. He was very much afraid that this was calculated to create in Ireland an official caste which was already sufficiently strong, and it was unadvisable that it should grow stronger, especially in the Force which had to deal with the administration of law, and had so many social duties to perform. If the right hon. Gentleman knew as much as he (Mr. O'Shaughnessy) did of the spirit of the country, and saw the hostility and the chasm which existed between the official classes and the people, and what a hobgoblin the official was to the shopkeeper, the farmer, or the labouring man, he would see how undesirable it was to perpetuate that official caste.

MR. SULLIVAN said, that no doubt the Force in Ireland was greatly indebted to his right hon. and learned Friend (Sir Colman O'Loghlen) for bringing the subject before the House, and especially for having elicited from the right hon. Baronet the Chief Secretary for Ireland, the direction in which his own mind tended on that subject. He could do no more useful work during his term of office than to give the Irish Constabulary that non-Party character which was so desirable in a peace Force. There might be difficulties in throwing open the appointments to public competition; but nothing could be more desirable than that the system of nominations should monopolize the whole field of Constabulary appointments; and, for his own part, as an Irish Member of Parliament, he blessed the day when patronage had been taken from them to the extent to which it had been taken. He was proud to say of his own constituents that from the day he was elected four years ago to the present hour he had got but one application for anything like political patronage, and that, which happened to be for one of these nominations, he was obliged to refuse, stating as his apology that while the courtesy of the Government to Irish Members was beyond all expectation, he could not go to them, and ask them for a favour, as they invariably gave nothing for nothing. He hoped the right hon. Gentleman would narrow as much as possible the area of possible Party appointments, and carry out the idea of opening all branches of the Public Service.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS II.

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £20,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for Her Majesty's Foreign and other Secret Services."

MR. PARNELL said, he had asked the Government to postpone this Vote until the present occasion. He now wished to get at the precise amount of the Secret Service money that was spent in England, Ireland, and Scotland, divided into these three heads. He observed that this Secret Service Vote came under the head of England, and there was no Vote of Secret Service for Ireland and Scotland. He had no objection to a secret service. He knew it was one of the necessities of every State to have herself secretly served in foreign countries; that she should have secret emissaries to demoralize the servants of other Sovereigns, such as the Emperor of Russia, for the sake of the supposed interests of the Empire. Although he might have no objection to the demoralization of the subjects of the Czar by the application of Secret Service Money, he had a great objection to the demoralization of the people of Ireland. They had always had a great suspicion that a considerable portion of this sum was devoted to payments in Ireland, or in connection with supposed services to the Government in regard to Irish matters. As a proof of this, during the years 1865 and 1868 the sum voted annually for the Secret Service was £32,000, and this year it was only £24,000. In addition to that Vote they were told that the sum of £10,000 was charged annually on the Consolidated Fund for the Secret Service. In the years he had named, it was considered necessary by the English Government, for her own purposes, to pay considerable sums of money not entirely for Secret Service, because a great deal of it was performed in open Courts, in giving evidence on the trials of political prisoners. He wished to say that if any of this money was paid to persons in the United Kingdom, the portion of the Vote paid to such persons should be defined, and it should be told how much was paid with regard to Scotland, Ireland, and England. He heard an hon. Member who represented an important Scotch constituency say that no Secret Service Money was paid for Scotland, but how did he know that? They had had informers in Ireland, such as Massey, Corrigan, and others, who were described by Mr. Justice Keogh as dangerous characters in society. Possibly, some such men might still be living, and in receipt of money from the Secret Service Vote. If so, how much had been paid them? To give the Government and the Committee an opportunity of stating their opinions on this question, he would move that the Vote be reduced by the sum of £4,000.

Motion made, and Question proposed,

"That a sum, not exceeding £16,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for Her Majesty's Foreign and other Secret Services."—(*Mr. Parnell.*)

MR. W. H. SMITH said, he was exceedingly sorry he could not give the hon. Member the information he asked; but he did not possess it. Indeed, the Committee must see the sum would not be Secret Service Money at all if he was in a position to state exactly the purposes to which it was devoted. All he could say was, that the money was spent with the greatest possible care by the Ministers of the Crown, and as long as the necessity for a Secret Service unfortunately existed, the House must be content to leave the subject in the hands of responsible Ministers.

MR. DILLWYN said, all his hon. Friend (Mr. Parnell) asked for, and all the Committee asked for, and which they had a right to know, was an assurance on the part of the Government that the expenditure of the money was one that ought really to be considered a secret, and not for the purposes of compensation allowances and increase of salaries.

MR. CHARLEY said, he must complain of the language of the hon. Member for Meath (Mr. Parnell) in saying that the Government spent Secret Service money in demoralizing the subjects of the Czar. He did not think that that

was language which ought to be used in the British House of Commons.

MR. J. COWEN considered the hon. Member for Meath (Mr. Parnell) had a right to know how the Secret Service Money was expended in Ireland. In his (Mr. Cowen's) opinion it was paid to spies and informers, who went among the people, misled the innocent, excited them to insurrection, and then gave evidence against them. For his part he should support the Motion of his hon. Friend for a reduction of the Vote. He considered the course taken by the hon. Gentleman the Secretary to the Treasury wrong in asking the Committee to give assent to the Vote without giving any explanation respecting its application. He thought the demand reasonable that a distinction should be drawn between what was spent in England, Scotland, and Ireland.

MR. RAMSAY agreed that the Secretary to the Treasury, in asking a Vote for such subjects as those of Secret Service, was bound to give some explanation; and with regard to its application to England, Ireland, and Scotland, the question ought, in his opinion, to be answered. In addition to this Vote for Secret Service, the sum of £10,000 was charged on the Consolidated Fund for the same purpose. It therefore seemed something like a mockery of the Forms of the House to place this sum in the Estimates, if they were not supposed to discuss and obtain some explanation of it. The Committee might be told where the money was spent, without being told how.

MR. MACDONALD thought the hon. Member for Meath (Mr. Parnell) was perfectly right in drawing attention to this subject, because the House ought to know how the money was spent. The hon. Member for Edinburgh (Mr. M'Laren) knew that Secret Service Money used to be paid in Scotland for the promotion of revolt and rebellion. [Mr. M'LAREN: Forty years ago.] Although it was 40 years ago, it was no less true. He contended that there ought to be an understanding that this Secret Service Money should not be spent in promoting rebellion. The hon. Gentleman the Secretary to the Treasury did not know how the money was spent, then how could he state that it was well spent? The hon. Member for Meath was entitled to demand an answer as to how much of this money went to Ireland, and they ought to know how much was expended in England and Scotland.

MR. M'LAREN said, it would be a misnomer to call the Vote one for Secret Service, if the Government had to give full particulars regarding it. But he thought the hon. Member for Meath (Mr. Parnell) had a perfect right to ask whether any of the money was employed in Ireland, especially if he believed it was being employed for other than legal purposes, and contended that this money was given as a bribe. He begged to say that he had taken an interest in public matters in Scotland for 40 years, and he did not believe that any of this money went to that country now; but there was a time when it did, and that was when the Sidmouth Government existed. The money was sent to Scotland to induce the people to become seditious; but of late years he had not heard a whisper in Scotland that any of this money was expended there.

THE CHANCELLOR OF THE EXCHEQUER said, the nature of Secret Service was really called in question by the discussion. If the money was given, it was voted in confidence that the Government would apply it to purposes that were proper and not to such as were improper, and that it would be used only for purposes which, in the judgment of the Government, it would be inconvenient to make matter of public discussion. The question whether a part of the money was applied to the increase of salaries must have reference to a discussion that occurred a few years ago; up to which time it had been the practice to make additions out of the fund to certain Foreign Office salaries. The result of the discussion was that that practice was discontinued, and the money was not now applied in that way, nor in the payment of compassionate allowances. He hoped that much would be satisfactory to the Committee. The Committee would do well not to press the question now put, because it would be obvious that if the information were given, either it would be misleading, or it would be followed up by further questions which would be of a character to destroy all secrecy as to the disposition of the funds. Suppose it were stated how much was given to one portion of the United Kingdom, questions would arise as to the services rendered, whether

they were rendered within it, or whether the money was paid to persons residing there in respect of services rendered abroad, and the result would be a discussion, which it was the very object of the Vote to render unnecessary. He could assure the Committee that so far as the expenditure of the money had come under his notice, there had been nothing improperly done with it; at the same time, he felt that, though it had been properly applied, it would be very inconvenient to make that application public. He had no doubt each of his Colleagues would say the same for the part of the expenditure for which he was responsible. He hoped the Committee would not press for further information on the subject.

SIR COLMAN O'LOGHLEN said, that the statement of the right hon. Gentleman was not at all satisfactory. Was any Secret Service money applied in the United Kingdom, or was it all applied to purposes in foreign countries? If some portion was not applied in the United Kingdom, the Committee would not press for further information. If his memory served him, it was stated in a former debate on this subject that Secret Service Money was applied entirely to purposes connected with Foreign Affairs. If that were so, the right hon. Gentleman could surely state as much now without any breach of due official reserve.

MR. A. MILLS could not see how the information asked for would at all assist hon. Members to judge whether any part of the money was corruptly spent. What would be the use of it, unless they got the names of every individual who had been paid some of this money?

MR. RYLANDS: I took a leading part in the discussion to which the right hon. Gentleman the Chancellor of the Exchequer referred, and I moved the Resolution by which the House declined to allow the payment out of the Secret Service Money of any sum for salaries or pensions. But the origin of the Resolution which was carried on that occasion was a little remarkable. I had on several occasions put Questions to the Treasury Bench as to whether it was not the fact that certain parties were receiving salaries and pensions out of this Secret Service Money, and it was positively denied. If I had not had very good authority for the course which I took, and if I had not resisted the representations of the Government, the facts of the case would never have come out at all. It was only by asking Question upon Question, and persistently meeting the denials given to me, that at last I forced from the Government the acknowledgment that a very considerable amount of salary was paid to an important officer of the Crown as an addition to the remuneration which he derived from his Department. And who was that official? It was the very official who had the management of this Secret Service. My complaint was that although this was done, the Under Secretary of State for Foreign Affairs knew nothing whatever about it. In fact, my noble Friend the then Under Secretary of State (Viscount Enfield) was put up to deny that there was any truth in my assertion. Of course, it was not categorically denied. My complaint then was, and it is the same now, that the political Under Secretary of State is kept in entire ignorance of the expenditure of this money. If my hon. Friend the Under Secretary of State for Foreign Affairs will get up in this House and say he knows how this money is expended, and that he is prepared on his responsibility as a Minister of the Crown to say that it is properly expended, I will yield to his judgment. But he cannot say so. He knows nothing more about it than I do. I know quite as much as my hon. Friend in reference to this matter. And let me tell the House what course is taken in regard to this Secret Service Money. A large portion of it is expended abroad in connection with foreign affairs. I believe it will be found that the sum of £10,000 charged on the Consolidated Fund is the sum chiefly expended for Home purposes. A large portion of the £24,000 which we are now asked to vote is expended through the Foreign Department, and let me tell hon. Members how it is managed. A Minister of the Crown abroad or a Consul in some Foreign State applies from time to time to the Foreign Office for a certain sum of money for the purposes of Secret Service; and when he makes that application, if he takes care to keep within what is considered a fair and legitimate amount for the particular part of the world in which he is placed, and the position he occupies, there is no inquiry made. But if the Ambassa-

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dor or Consul asks for an unusual amount, the Foreign Office institutes an inquiry and calls the attention of our Representative at the Foreign Court to the fact that he is asking for an unusual sum of money, and that an explanation will probably be necessary. But so long as he keeps within certain limits, no explanation is called for, and there is nothing to show how the money is expended. I venture to challenge my hon. Friend the Under Secretary of State for Foreign Affairs to show me within the last quarter of a century in all the diplomatic transactions which are recorded in the Blue Books, any instance in which the employment of Secret Service Money has been of value. I am speaking about transactions completed historically and diplomatically, and laid upon the Table of the House in the Blue Books, which record from time to time the varying action of Her Majesty's Government, and the varied information which they possess. I challenge him to show in any of these transactions during the last 25 years a single case in which important information was obtained by Her Majesty's Government in advance of the ordinary channels of information in consequence of the expenditure of this Secret Service Money. That is the very challenge which I made to the Predecessor of my hon. Friend in the office which he now fills. The challenge never has been met, and I do not think it can be met. I say, that if Her Majesty's Government get priority of information, it ought to be known; for, at present, there is no evidence of the fact. The Ministers and Consuls spend the money, no doubt; but you do not require them to give a detailed account of the way in which it is spent. They simply declare, on their honour, that it is spent for the benefit of the Crown. It is passed by the Foreign Office, and there is no check. The Secretary of the Treasury cannot check it, and it is admitted that the check is utterly insufficient to secure care and accuracy in the expenditure of the money. My impression is, that it is paid to persons who do not do the slightest good in return for it, and if a poor Consul's widow goes to the new Consul in distress, I have no doubt that he would put his hand into this fund, and make her a compassionate allowance out of it; because he would naturally say—"It is a hard case, and the money can go to Secret Service." There is a strong suspicion that a portion of the money is expended in that way. My complaint is, that Her Majesty's Government spend the money without getting any real and substantial advantage in return for it; that the mode in which it is spent prevents proper control; that the Representative of the Foreign Office in this House knows nothing about it, and has no control over it, but that it is left in the hands of the permanent Servants of the Crown who, as far as I know, may deal with the money in a manner that is not in accordance with the public interests. It may be that some of the objects for which it is expended are good. Perhaps they are, but they ought to be stated in the Estimate. The system is one which is very much open to abuse. If the money is employed in this country, it is used for the purposes of demoralization, and if used abroad, it is used in a mean and contemptible manner in bribing someone on the side of your enemy, or on the side of some State from which you have reason to expect opposition. You bribe him to give you private information that will damage the interests of his own country. I am of opinion that our policy in connection with this country should be an open policy, and that when we talk of British interests, we mean those interests which we can proclaim before the whole world. I shall vote for the Motion which has been made by the hon. Member for Meath (Mr. Parnell), and I shall also be prepared to vote for the rejection of the entire sum asked for.

MR. CHARLES LEWIS was reminded, by the challenge thrown out by the last speaker to the hon. Gentleman the Under Secretary of State for Foreign Affairs, of the proverb—"Surely in vain the net is spread in the sight of any bird." He was sorry the hon. Member for Burnley, who so strongly denounced Secret Service Money, had not commenced his opposition to it when his own political Friends were in office. He could not think that the Committee would refuse to confide in the present Government on this matter as previous Governments had been confided in. But if a vote were to be taken on the subject, let that vote be not upon the question as to how much Secret Money

was spent in different parts of the Kingdom, but upon the broad question as to whether such money should continue to be voted at all.

MR. RYLANDS explained that he had divided the House against that vote when the late Government were in office.

MR. O'SHAUGHNESSY expressed a hope that some information of a general character as to the proportions in which it was distributed, would be furnished to the Committee. The Motion before the Committee was not made with the object of abolishing the Secret Service Grant; and if it were conceded, and Parliament were informed what sums were spent in England, as compared with Ireland and Scotland, and other places, its object would be served. With regard to Ireland, it was impossible, without some further information, to satisfy the minds of the people as to how the Secret Service Money was approximated. They remembered that there had been men like Head Constable Talbot, who, being sworn in as officers for the preservation of the peace, had gone among the people, and, on pretence of taking part in the Fenian movement, had mingled among its supporters and obtained information against them. So far was this carried in Talbot's case, that, although a Protestant, he had actually disguised his real character, so as to perpetrate the sacrilege of receiving the Sacrament at the altar of a Catholic chapel. It was true that he was afterwards shot in Dublin; but had the people known of the sacrilege he had perpetrated, he would probably have fared much worse, by being burnt alive by the infuriated populace, whose feelings he had outraged. What was wanted, however, was not details as to particular sums, but the proportions of the total money expended in the Three Kingdoms; and then, if it were seen that there was not an undue amount spent in Ireland as compared with England and Scotland, they would be satisfied. At present no attempt was made by the Government to interfere with or put down any form of popular feeling; but the people were apt to exclaim that the disturbing element was prompted by the Government, who provided the means from the Secret Service Fund. Of course, the Chancellor of the Exchequer or the Chief Secretary knew nothing about the expenditure of the money, or had communication with men such as Talbot. No secrecy would be lost by consenting to the Motion of the hon. Member for Meath (Mr. Parnell), while it would create greater confidence on the part of the people in the Government.

MR. O'CONNOR POWER hoped the Chancellor of the Exchequer would not suppose that the Motion was brought forward in a spirit of obstruction to delay the Estimates, and contended that no more fitting opportunity could be found to discuss the Vote. Hon. Members had spoken of the spending of Secret Service Money in Scotland 40 years ago; but without going beyond 1848, the history of the Dublin Police Courts—when Lord Clarendon, then Viceroy of Ireland, was dragged into Court upon a demand by one Burch, the editor of *The World*, for the payment of the sum of £1,000, which he alleged was due from the Lord Lieutenant for the support of a paper which vilified the leading members of the patriotic Party as Infidels, Atheists, Socialists, and stigmatized them by the vilest epithets—would show how Secret Service Money was used in Ireland to bring the Young Ireland Party into contempt and discredit. It might be said that it was useless to raise the question, and make accusations against men no longer able to defend themselves; but these things were never known until they became matter of history. He wished to point out to the Committee that with regard to such men as Talbot, who had been alluded to, there was another way in which they were rewarded. Most of those employed as spies and informers were also inspectors or sub-inspectors, and were paid in another form. In addition to the £24,000 now asked for, it was more than possible that the House would be asked to vote another similar sum in the form of salaries to inspectors, or in some manner impossible to classify.

MR. MONK regretted that the whole Vote was not to be opposed, as he had never heard any argument in favour of Secret Service Money. It was beneath the dignity of this country that it should purchase information in the way which it had been shown it was purchased.

MR. J. COWEN supported the reduction of the Vote. Earlier in the evening they had been discussing the case of the

Fenian prisoners, and it should not be forgotten that some of these men were placed in prison on information obtained in the manner described, and that it had been paid for out of the money voted by Parliament. We had instances also of the way in which this money was spent during the Chartist movement, and there was a well-known case of a man who had incited the insurrection which led to Thistlewood being hanged, who had lived for 39 years on a pension granted to him by Government out of the Secret Service Money.

MR. GRAY adverted to the manner in which the Vote was brought forward, as being likely to deceive any hon. Member who looked at the Estimates casually. The Estimates were divided under the heads—England, Ireland, and Scotland; but in this item of Secret Service Money the whole was put down to England. The result of that—whether intentional or not—would be that it would not probably be challenged by an Irish or Scotch Member, unless the Vote were carefully examined. If the Government would give no information whatever, then the whole of the amount should be charged upon the Consolidated Fund, and not under the head where it now appeared. It appeared to him a justifiable thing to ask what portions of the sum were spent in each country, though he thought that if that information were given, the Vote would not be tolerated for an instant. English Members would resist such an expenditure in their country, and Scotch Members had emphatically expressed their determination not to tolerate such a means of corruption in their country, and if they resisted the Votes for England and Scotland, they could scarcely refuse to assist Irish Members against corruption in the same form in Ireland. It was usually, though vaguely, understood that the bulk of the money was for the purpose of acquiring foreign information; but, if that were so, why should not the Government say as much at once? He should support the Motion of the hon. Member for Meath (Mr. Parnell), as he should vote for any Motion tending in the same direction. Not without reason he felt very strongly on the point. In 1847, his father, Sir John Gray, was intimate with the Young Ireland Party, and, with others, became acquainted with one Barney Malone. This Barney Malone professed to have most patriotic feelings, and to be very sanguine as to the prospects of an immediate rising in accordance with the views of the '48 Party. He produced plans, and sought to induce Sir John Gray, and others, to adopt his views. But in looking through some papers, to which he obtained access by a curious accident, Sir John Gray found that this same Barney Malone had been in receipt of a pension since '98, paid out of the Secret Service Money for services rendered to Government. In 1848 he was doing the same work, and but for the accidental discovery of those papers, he might have succeeded in entangling Sir John Gray, and many others, in a way that might have led to their execution. Government had improved on their agents since 1846, for Barney never went the length of swearing-in his countrymen and taking the Sacrament at the altar in order to win their confidence.

MR. BIGGAR had no doubt of the demoralizing effect upon the recipients of Secret Service Money. The information elicited was generally worthless, for the spy must be a liar, and, in most cases, a perjurer. He did not see how a Minister of the Crown could defend such a system before the House and the world, and certainly ought to be discouraged.

MR. WADDY said, it seemed to him that some hon. Members desired that Secret Service should not be secret; but he would ask how could a great deal of the necessary, though unpleasant, work of the Government be conducted without it? It was, no doubt, a very sad thing; but so long as there were traitors, it would be one of the unfortunate necessities of the Government to take these desperate means to find it out both at home and abroad. They ought to confide in this Government as they had confided in others in times gone by.

DR. LUSH said, he could not agree with his hon. and learned Friend the Member for Barnstaple (Mr. Waddy), as he was of opinion that the matter should be fully investigated. He hated the system of spying, and he thought it ought to be discouraged as much as possible. He thought it strange that the sum asked for should be the same this year as last—namely, £24,000.

MR. PARNELL disclaimed any intention of asking for details of payments made to individuals. Had he wished that he would have made the demand

openly. He was willing to withdraw the Amendment, if the Government would tell him that no money was spent in Ireland for improper purposes, or beyond the fair proportion of the expenditure in England and Scotland. Without such information, he must press the Amendment to a division.

Question put.

The Committee *divided:* — Ayes 43; Noes 92: Majority 49. — (Div. List, No. 162.)

MR. ANDERSON moved the rejection of the entire Vote. He denied that the opposition to Secret Service expenditure was a new movement, as he and others had been opposing it for years, and on a former occasion he and those who concurred with him succeeded to the extent of preventing Foreign Office clerks from receiving part of the money. The hon. Member for Meath (Mr. Parnell) did not object to that part of the Vote which was used in the prevention of crime, nor did he himself; but there was reason to suppose that no part of it was spent in that direction, and he believed that Secret Service Money was employed entirely in political purposes, often of the meanest and most degrading order. Such devices ought not to be had recourse to in a great country like this.

Original Question put.

The Committee *divided:* — Ayes 96; Noes 40: Majority 56. — (Div. List, No. 163.)

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £5,207, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Salaries and Expenses of the Department of the Queen's and Lord Treasurer's Remembrancer in Exchequer, Scotland, of certain Officers in Scotland, and other Charges formerly on the Hereditary Revenue."

SIR ANDREW LUSK observed that in this Vote was included the sum of £200 for Queen's Plates in Scotland. He intended to take a division against it; but as he understood that the noble Lord the Member for Woodstock (Lord Randolph Churchill) was going to move the reduction of the Irish Vote for the same purpose, he should be content to allow the Scotch Vote to pass for the present.

MR. DILLWYN understood that a promise had been given that Queen's Plates should not again appear in the Estimates, and he hoped his hon. Friend would divide against the Vote. Some rather curious items were included in this Vote. There was the salary to the Secretary and to the Law Agent of the Bible Board; also the salary to Her Majesty's Historiographer for Scotland, who, it appeared, was also Manager and Secretary to the Prisons Board. He should be glad to have some information as to these items.

THE LORD ADVOCATE said, he might explain that the learned gentleman who filled the office of Historiographer in Scotland to Her Majesty at present was a well-known man, Dr. John Hill Burton, whose works, among which was comprised a history of Scotland, were a great credit to the age, and well known in the literary world. The office of Historiographer was well-known. It was in the gift of Her Majesty, and it was one of those old offices connected with the Royal Establishment in Scotland which all Scotchmen would be sorry to see abolished; and, although differing in politics from the gentleman who held the office at present, he must say it could not be better filled. The sum of £700 drawn for another purpose was well earned. Dr. Burton was Secretary to the Prisons Management Board, and the efficiency of the present arrangements was greatly due to the management of Dr. Burton. The other duty for which payment had not been fixed was not one that fell within his duties as Prison Manager, or Secretary, or Historiographer. In England some £10,000 a-year was spent in making known what was contained in the repositories of the Master of the Rolls and other dignitaries. A much smaller sum was sufficient for Scotland. So far, therefore, as Dr. Burton and those three items were concerned, he had given all the information which the questions put to him seemed to require. He was also asked the meaning of Secretary to the Bible Board, an office held by the Rev. Sir Henry Moncreiff, brother of Lord Moncreiff. The people of Scotland set very great store upon that office and the effective performance of its duties. Every

copy of the Bible printed in Scotland was published under the licence of the Queen, and the duty of the secretary, with the aid of the reader, was to supervise every edition of the Scriptures before it was published. That work had been most efficiently performed, and Scotchmen would regard it as a very serious calamity if the office were done away with. [Mr. J. W. BARCLAY asked what the Law Agent had to do?] He was not precisely informed as to what the duties of the Law Agent were; but no doubt the remuneration had been fixed, having due regard to the duties of the office.

DR. LUSH thought the text of the Holy Scriptures in Scotland was so thoroughly understood, that it was unnecessary to continue any person to give his *imprimatur*, and he thought that it had been shown that it was worthy of consideration whether the office was more than a sinecure, and ought to be abolished. The right hon. and learned Gentleman had not given a satisfactory reply as to the duties connected with the salary of Her Majesty's Historiographer in Scotland. The present occupant held the office at £184 a-year, and had the opportunity of earning £700 a-year in another office, and an unknown sum in another office. This was a question which must be considered by the House, and he could not say that the right hon. and learned Gentleman's explanation was satisfactory.

MR. SERJEANT SHERLOCK remarked that there was the greatest unanimity among Irish Members as to the retention of the sum for Queen's Plates; but when the Scotch Queen's Plates were omitted it was the Scotch Members that did it. The year after the Vote was re-instated, because the Scotch people wished to have it.

MR. M'LAREN said, as to the Queen's Plate question, the House disallowed the Vote; but an opposite feeling was got up, not by the people of Scotland, but by some busy Members of the House attached to horse-racing, and the Government not only re-instated the Vote, but paid the Vote which the House of Commons had disallowed. As to the offices mentioned, the appointment of Historiographer might be regarded as another way of giving a literary man a pension. He could not imagine that the office was held with a view to the performance of any specific duty. On the other hand, £700 a-year for practically managing the prisons in Scotland was very small, considering the salaries that were paid in England. With respect to the other duty, the salary was no salary at all. Certain State papers had to be calendered. Very few men could do that, and Dr. Burton had to be paid for editing a particular volume, but the amount he was to be paid was to depend on the Treasury, and was not to be a salary at all. With the explanations that had been given, and the little he had added, he thought the Vote might be passed.

MR. RAMSAY approved of the Vote, and held that in no part of the Kingdom were the prisons so economically managed as in Scotland.

MR. O'SHAUGHNESSY suggested that, by a little alteration, the office of Historiographer might be made a useful one without withdrawing the Vote. With regard to the Bible Board, the office at present was scarcely defensible. So far as the Law Agent went, they had no information whatever with respect to him. The explanation of the hon. and learned Lord Advocate was, financially speaking, unsatisfactory, and he (Mr. O'Shaughnessy) was prepared to vote with the Scotch Members on the subject.

MR. MARK STEWART trusted hon. Members opposite would see there was good reason for passing the Vote in its entirety.

MR. M'LAREN said, the difficulty was how could you preserve the purity of the text of the Bible? If you allowed everybody that chose to print it, all sorts of errors would get into it. This plan was hit upon—that any person in Scotland should be allowed to print the Bible, subject to this condition—that they should first of all get permission of the Lord Advocate, and engage that his permission should be printed on the first page of the Bible. Another condition was that there should be a secretary appointed, and that when the edition was printed a perfect copy should be sent to him, and if an error was found in it the whole edition should be cancelled—not that the secretary should revise it. Nobody could legally print the Bible in England except the Queen's printers or the Universities, and this office was fixed as a security for the purity of the text in Scotland. He never could find out that the Law Agent had anything to do.

SIR ANDREW LUSK was satisfied with the explanations given on the other Votes, but not with that for the Queen's Plates. To that he had a decided objection.

MR. DILLWYN was also opposed to the Vote for the Queen's Plates, and should move that the amount asked for be reduced by £218, the amount proposed for that purpose. The House in a former year had refused to grant money for this purpose, and he did not know why the item had been re-introduced into the Estimates.

Motion made, and Question proposed,

"That the Item of £218, for Queen's Plates, be omitted from the proposed Vote."—(*Mr. Dillwyn.*)

MR. J. W. BARCLAY hoped the Vote would be agreed to. The work done either directly or indirectly by the Historiographer in return for the small sum of money paid him was very ample, and he thought it mere cheese-paring economy to object to it. He hoped the hon. Member for Swansea (Mr. Dillwyn) would not divide the House on the question. He believed that when the House previously withdrew the Vote for Queen's Plates, the feeling in Scotland was so strongly expressed against that course that the Government had replaced it.

MR. MARK STEWART said, he did not support races generally, nor did he in the least care for races carried on in Scotland. But he found that the Vote was given for Ireland, and he could not see why it should not be given to Scotland also.

MR. ANDERSON said, that it was because they intended to vote against the item for Ireland which would come on presently that they would now vote against it for Scotland, and he did not believe that any feeling existed in Scotland in favour of the Vote.

MR. YEAMAN expressed himself in favour of the Vote, considering that the three countries should be treated alike in this matter. He was surprised that the Committee should waste so much time upon so small a matter.

DR. LUSH said, it was very clear that whatever might be the case on other occasions, Scotch Members showed that there was a wonderful unanimity among them when there was any advantage to be gained for Scotland. He should vote against the item for the Queen's Plates.

SIR GRAHAM MONTGOMERY said, that with regard to the Vote which threw out the item for the Queen's Plates some few years ago, that Vote gave great dissatisfaction in Scotland. He had a strong recollection of the dissatisfaction that was created when the item was not allowed. He should vote against the reduction, on the ground that equal justice should be done to Scotland, Ireland, and England.

MR. M'LAREN denied that Scotch Members combined on all occasions to support Votes of Money for Scotch purposes. On a former occasion a large number of Scotch Members voted against these Plates. He was one of those who so voted, and he intended to do so again.

MR. DILLWYN declined to withdraw his Amendment.

MR. PARNELL said, that he intended to vote against the item, not because he did not think it was the duty of the State to encourage the breeding of horses in Scotland and Ireland, but because the sum of £218 was so small as to be perfectly useless for that purpose. He should, however, vote in favour of the Vote for Ireland.

THE CHANCELLOR OF THE EXCHEQUER wished to ask the Committee, whether they intended to do anything to make progress with the Estimates? The Government did not at all desire to cut short discussions upon any Vote; but he thought the hon. Member for Meath (Mr. Parnell) was going a little beyond the necessary line of argument which might be used on that occasion. He thought that the subject was one upon which a great amount of discussion was hardly needed, as they were presently coming to the question of the Votes for Ireland, and then they should hear what the Irish Members had to say.

MR. BIGGAR was of opinion that these Queen's Plates did nothing to improve the breed of horses. That object would be much better effected if the Government passed a law not to allow two-year-olds to run before a certain age, and not to allow light weights.

CAPTAIN NOLAN, who spoke amid continued interruption, said, if the Committee would allow him, he wished to say that he had come to the conclusion that what the Chancellor of the Exchequer had said with reference to ample time being given for the discussion of Votes in Supply was entirely wrong, for

not one-tenth sufficient time was devoted to the discussion of these Votes. He should vote with the Scotch Members, because he was of opinion that unless the Irish Members supported the Scotch Motions they could not expect to obtain the support of Scotch Members when Irish subjects were discussed.

Question put.

The Committee *divided:*—Ayes 53; Noes 141: Majority 88.—(Div. List, No. 164.)

Original Question put, and *agreed to.*

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £10,513, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Salaries and Expenses of the Fishery Board in Scotland."

VISCOUNT MACDUFF, in moving the reduction of the Vote by the sum of £3,000, said he did not do so from any feeling of parsimony, but simply to raise that part of the question which referred to the system of Government brands, and which had been the subject of a great deal of discussion in the North of Scotland both among fishcurers and others. The feeling there was opposed to the continuance of the branding system, which had already been condemned, both by Royal Commission and by Treasury Minute. It had been condemned by those interested in the herring trade, both in Germany and in Scotland, as being practically of no use whatever, while the trade itself was injuriously affected by it.

Motion made, and Question proposed,

"That a sum, not exceeding £7,513, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Salaries and Expenses of the Fishery Board in Scotland."—(*Viscount Macduff.*)

MR. J. W. BARCLAY also thought that in the interest of the large curers, as well as of the small, and likewise in that of the general fishing of Scotland, it was now time that the branding of herrings by the Government was abolished. He hoped, therefore, Her Majesty's Government would, if the noble Lord withdrew his Motion, give the Committee assurance that the Vote would not be brought forward in future years.

MR. LYON PLAYFAIR thought that the Committee should clearly understand that if the Estimate was reduced by £3,000, with an understanding that in consequence the brand was to cease, the effect would be not a reduction, but a considerable augmentation of the expenditure—because its effect would be that the £6,000 or £8,000 which the brand now produced would come off the receipts, and the Vote would remain the same. He trusted that the Treasury would not consent to the reduction of this Vote. The subject of the brand had been investigated by three Commissions in 1848, 1857, and 1870. All of these recommended its continuance. It was true that the Commission of 1866 reported against it. While it was a tax upon the producers of salt herrings, it was a tax which they desired to pay, and for which there were no Petitions for removal. And the reason of this was that the brand enabled small producers to sell as readily as large producers. It did not act like a protective tax, for it was only used for the export trade.

SIR ALEXANDER GORDON complained, with reference to the Vote before the Committee, that the sum put down for the express purpose of repairing and building piers and quays injured by storms was applied to the building of new piers. For three years the sum granted had been applied to one port. Further than that, he did not find that those in whose favour that expenditure was made had, as the Act of Parliament required they should do, expended for the same objects one-fourth of that amount. They evaded the Act by borrowing the required portion from the Public Works Loan Commissioners, instead of drawing on their own private resources for it. The Act of Parliament also required that the accounts should annually be laid on the Table 14 days after the meeting of Parliament, and that had not been complied with. With regard to the noble Lord's Amendment, the estimate of the brand fees was £2,800 less than last year, whilst herring fishing was increasing considerably. This required explanation. While admitting that there was a great deal of truth in the remarks of the noble

Lord as to the present system of branding, he agreed with the right hon. Gentleman on the front Opposition bench (Mr. Lyon Playfair) that it was not desirable that the Vote should be reduced as proposed.

MR. SHAW LEFEVRE asked whether it was for the interest of the herring trade on the Coast of Scotland that the brand should be continued? The Commissioners of 1867 came to the conclusion that the brand was objectionable, as it prevented improvements being made in the trade. The curers, too, who were formerly very much in favour of the system, now began to see that it was injurious to their trade. There was a large herring trade on the West Coast of Scotland, and in England, and he had never heard that the curers had found any difficulty in disposing of their herrings which were not subject to the brand. He thought that the brand should be abolished.

SIR GRAHAM MONTGOMERY knew that three or four years ago the great foreign merchants of Russia and Germany were favourable to the continuance of this brand. It would be most unwise upon a mere assumption without proof that these merchants had changed their opinions to disturb a trade of so much importance to the North of Scotland. He therefore hoped that until further information was obtained on the subject the Committee would maintain the branding.

MR. M'LAREN said, that since the Reports made to that House on the subject, additional facts had come to light, and a great change had taken place in Scotland upon the question of branding. He believed that it was expedient that the brand should be abolished, and as the Dutch had agreed to its abolition, he hoped the Government would consider it expedient to put an end to the system. As to the Board of Fishery at Edinburgh, it was no Board at all; it had been severely censured by the Treasury, in connection with harbour works, and the time had come when it ought to be abolished. In fact, the sooner the better.

MR. YEAMAN also supported the Motion of the noble Viscount (Viscount Macduff), and contended that it was the duty of the Committee to abolish the system of branding and the Board of Fishery.

THE LORD ADVOCATE said, that neither the present nor any other Government would wish to maintain the system of branding, if all those who were concerned in the trade desired to have it abolished. But it appeared to him that the published Reports of the Commissioners were in favour of the system, and it was still believed by many that if it were abolished there would be a great disturbance to the trade. Acting upon the advice which they had received, the Government did not venture to propose the abolition of the brand. With regard to the repair of the piers or quays, it was his opinion that the Act of Parliament was complied with if the parties borrowed the portion of the expenditure, seeing that they would have to repay the loan out of their private purse.

MR. SHAW LEFEVRE wished to explain that his father, who was a Member of the Commission of 1848, condemned the brand in principle, though he did not see his way clear to abolish it.

THE LORD ADVOCATE read from the Report presented to the House of Commons, which showed that the abolition of the brand would cause a great disturbance to the trade, and recommended that it should be retained.

VISCOUNT MACDUFF said, he would withdraw his Amendment.

Motion, by leave, *withdrawn*.

MR. J. W. BARCLAY drew attention to an item of £350 paid in respect of certain Government cruisers employed to protect the fisheries. There was a general complaint against these vessels that they did not sufficiently aid the fishermen in case of storms, nor effectually protect the Scotch fishermen from the Dutch and French fishermen, and that the nets of the former were frequently stolen without proper action being taken by the gunboats. He could not see why £350 should be given to the gunboats for acting as police, and unless the Secretary to the Admiralty gave some explanation, he would move the reduction of the Vote by that sum.

MR. A. F. EGERTON was not prepared with any very minute information. He believed that the whole charge the hon. Member referred to was not £350 but £150, the sum which was paid to the *Vigilant*. He could assure

the hon. Member that the Government were only anxious that everything should be done to assist the fishermen on the coast.

MR. J. W. BARCLAY expressed himself dissatisfied with the answer, and intimated that unless some more satisfactory statement was made, he should be compelled to divide the Committee against the Vote.

MR. A. F. EGERTON said, he had every reason to believe that the instructions given to the cruisers were fully carried out.

MR. SHAW LEFEVRE said, the Government had intimated the other day that they intended to appoint a Commission to inquire into the condition of the fisheries; and he wished to know whether the Commission should be a new one, with large powers, or simply a local one; and whether, if it was to be a local inquiry, it ought not to be conducted through the Fishery Board, instead of by an independent Commission? The Royal Commission of 1865 had dispelled the idea that there had been a great falling off in the Scotch fisheries, and since then there had been a steady increase of the "take" on the coast of Scotland.

SIR HENRY SELWIN-IBBETSON said, it was the intention of the Government to appoint a Departmental Commission to inquire into various complaints which had arisen, not only in Scotland, but in certain other parts of the coast of the United Kingdom. The inquiry would be conducted, as the inquiry was conducted during the last year, by the Fishery Inspectors for England united with the Inspectors of Fisheries in Scotland. The inquiry was made last year with satisfactory results at no great amount of cost, and he believed it would be the same in the present case.

MR. LYON PLAYFAIR observed that there had been three separate inquiries instituted of late years into the Scotch fisheries, and there was no good reason why the question should so soon be re-opened by a speculative investigation, unsettling the minds of the fishermen. It was not a justification of legislation that there had been a bad season last year. When the temperature of the water was high in summer herrings migrated to colder waters; and when it sunk too low in winter they sought warmer places. These climatic changes produced constant fluctuations in the fisheries; but legislation could not determine the migration of herrings.

DR. WARD asked whether the contemplated inquiry would extend to the Irish fisheries?

MR. BRUEN expressed a hope that the Irish fisheries would be included in the proposed inquiry and that the question whether the "branding" system, which had been so beneficial to the Scotch fishermen, should not be introduced into Ireland would also be fairly considered.

CAPTAIN NOLAN hoped that the inquiries would be extended to Ireland. When last Session he introduced a Bill on the lines of the Scotch system, it was attacked piecemeal by the Government, but now they expressed approval of the very same principles.

MR. BUTT urged that greater encouragement should be given by the Government to the promotion of Irish fisheries.

SIR HENRY SELWIN-IBBETSON said, when the inquiry was resolved upon, it was not contemplated that it should be extended to Ireland, inasmuch as no complaints had been made to the Home Office with regard to the fisheries of that country. He would consult the Home Secretary as to the advisability of including Ireland in the inquiry.

Original Question put, and *agreed to.*

(4.) £4,625, to complete the sum for the Lunacy Commission, Scotland.

(5.) £5,401, to complete the sum for the Register Office, General, Scotland.

(6.) £63,828, to complete the sum for the Board of Supervision for Relief of the Poor and Public Health, Scotland.

(7.) Motion made, and Question proposed,

"That a sum, not exceeding £5,798, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1878, for the Salaries of the Officers and Attendants of the Household of the Lord Lieutenant of Ireland and other Expenses."

LORD RANDOLPH CHURCHILL objected to the item of £1,562 for Queen's Plates. He supposed he might infer without fear of contradiction that in theory at least Queen's Plates were given as prizes from the State for the improvement in the breeding of horses through the medium of races. They

were not given by the State as a subsidy to the turf as an institution, excellent though it might be. How far had the Queen's Plates in Ireland fulfilled those conditions? So far as he was able to gather they had not attained their object. Year after year money was poured into a perfect morass of inutility. For many years prior to 1860 Queen's Plates in Ireland were won by English horses. Since that time a condition had been imposed that the money should only be given to horses which had been trained six months in Ireland; but that provision had not altogether stopped the practice, and still year after year the Queen's Plates were won by English horses. One gentleman in England—a Mr. Coppin—in five years carried off from Ireland Queen's prizes amounting to no less than £3,400. In 1876 there were 17 Plates, with 50 runners, and only 19 horses. Queen's Plates were not valued, and had never attracted much attention. From the smallness of the amount and the length of the course, they were not competed for by the owners of good horses; in fact, they were, when not the subject of arrangement between the various stables, run for by most wretched "platers." In 1874, a most wretched animal of that description called Hookey was successful. Only three sires had been winners of Queen's Plates in the course of many years, and this was a proof that these races did not develop the qualities which they were intended to produce in horses. In reply to the assertion that the Turf in Ireland would suffer if these Plates were no longer given, he contended that the people of Ireland were too much attached to horse-racing to let it drop because these paltry sums were withdrawn. At only 5 out of the 90 different race meetings held annually in Ireland were these Plates run for, while the "added money" subscribed at those meetings amounted to upwards of £7,000. As to the effect that these Plates had in improving the breed of horses in Ireland, it was the unanimous opinion of those best competent to judge that the breed of horses in that country had very seriously deteriorated during the last few years and that it was still rapidly deteriorating. This was a matter that should command the attention of Parliament and of the country, inasmuch as it most vitally concerned our Cavalry, which, with the exception of one regiment, was mounted on Irish horses exclusively. Good troop horses which could formerly be obtained in ample numbers at £25 each could now scarcely be purchased for £40. The Irish export horse trade, which at one time brought into the country £700,000 annually, and which in 1873 amounted to 32,000 horses, had largely fallen off, until last year it only amounted to 18,000, and thus a most important source of national wealth was being destroyed. The cause of this deterioration in the horses was undoubtedly due to want of blood—he did not believe that there was a single good stallion in Ireland. Those stallions which went about Ireland were notorious for hereditary unsoundness, and such wretched animals ought, he maintained, to be prevented by law from perpetuating their miserable species. He might quote pages of evidence all pointing to the same conclusion. Now, the remedy which he would propose for that state of things was, that the money which was voted every year for Queen's Plates and absolutely wasted should be capitalised, and that a lump sum of, say, £25,000 should be given to the Irish Government with which they might purchase one or two first-class stallions and half-a-dozen or more good ones, to be sent to various parts of the country. The hon. and gallant Gentleman the Member for Galway (Captain Nolan) would, he was sure, welcome one of them in his locality. If some such plan were adopted, there might be a Royal Irish stud which would be extremely popular in Ireland, as indicating that that House was interested in maintaining the prestige of their ancient breed of horses, and which would be productive of great practical advantage. He begged, for these reasons, to move the reduction of the Vote by the sum of £1,562, the item for Queen's Plates.

Motion made, and Question proposed, "That the Item of £1,562, for Queen's Plates, be omitted from the proposed Vote."—(*Lord Randolph Churchill.*)

MR. GREENE, in supporting the reduction, said, he fully concurred in everything that had fallen from the noble Lord, for the deterioration in the breed of horses was beginning to assume a very serious aspect, and as matters at present stood there were stallions going about Ireland which propagated a race of animals hardly fit for a cab. That was the more to be regretted, as he knew

from his hunting experience that there was something in the soil and climate of Ireland favourable to the breeding of horses, for he had found them sounder and capable of more work than those bred in England. He was all the more glad to support the noble Lord, because he was always anxious to vote in favour of anything which he thought would really benefit Ireland, although he often felt it to be his duty to resist legislation which he believed would be prejudicial to that country. If they meant to do anything to improve the breed of horses they must do so otherwise than by Queen's Plates. With the same money they could introduce stallions into Ireland that would breed a race of really strong and useful horses.

CAPTAIN NOLAN thought that the arguments which had been urged both by the noble Lord opposite (Lord Randolph Churchill) and the hon. Gentleman the Member for Bury St. Edmund's (Mr. Greene) were somewhat inconsistent with themselves, for he spoke of the Irish horses as better than those bred in England, while they condemned the present system of breeding in Ireland as bad. Beyond that, the scheme propounded by the noble Lord was a chimerical one. If stallions were distributed over the country it would require a Vote of £2,000 or £3,000 a-year for men to look after them. It was right to continue the Vote in the first instance for military purposes; and, in the next place, because these Plates were given to amuse the public, and he thought the money ought not to be diverted from that purpose. The present system of running all the Queen's Plates at the Curragh was not satisfactory. The native population there was very thin. If they gave Plates to one or two of the larger towns, it would go much more towards improving the breed of horses than any fanciful scheme of distributing stallions.

SIR MICHAEL HICKS-BEACH had no doubt his noble Friend (Lord Randolph Churchill) was animated by a sincere desire to improve the breed of horses, and had done good service by bringing the matter before the House, but he hoped he would not press his Motion. Whatever might be said from the noble Lord's point of view, the Committee should remember that Queen's Plates were given for two reasons—to encourage the breed of horses, and to promote a sport that was very popular in Ireland. He was satisfied that the gift did effectually accomplish the latter object, and although he would not go to the extent of saying that it had very much influence upon the breed of horses in Ireland he was satisfied that the loss of this £1,500 given in Queen's Plates in Ireland would be much more keenly felt in that country than the loss of the same sum in England. Some fairer distribution than that which now prevailed was, however, possible, and the Committee would find attached to the Vote a note to the effect that the subject of the Queen's Plates was under revision. The distribution of Queen's Plates in England had recently been revised by the Master of the Horse, and he (Sir Michael Hicks-Beach) had had an interview with the Earl of Bradford on the subject of the altering the distribution of the Irish Plates. He (the Earl of Bradford) advised the Irish Government to wait a little before they took any action in the matter; but he (Sir Michael Hicks-Beach) hoped that in the ensuing year they would be able to propose some alteration in the existing system. Perhaps by giving fewer Plates of larger value and changing the locality they might be able to do more to promote the sport of racing. The suggestion of providing stallions for improving the breed of horses in Ireland was recently fully discussed in that House, and the whole subject was thoroughly considered by a Select Committee in "another place;" but that Committee did not recommend that the Government should interfere in any such way, nor had the proposal made by the hon. Member for Mid-Lincolnshire (Mr. Chaplin) met with a very favourable reception. The breeding of horses for the Army was, of course, very important; but there was no difficulty in getting a sufficient supply, and he could not think that under these circumstances sufficient grounds had been shown for calling on Government to undertake what was probably much better done by private individuals. He admitted, however, that the clear and able statement of the noble Lord showed that much might be said on the other side, and if the Amendment were withdrawn, it would give time for considering the whole question.

MR. ANDERSON did not object to the Vote on account of its amount, but solely as to the manner in which it was to be applied. The evidence before the

House of Lords Committee proved that the money was thrown away both as regarded improving the breed of horses and amusing the people. So far from assisting the amusement of the people, it was well known that in Ireland many of these Plates were run for at races where there were no people to amuse.

MR. BRUEN preferred prizes for the produce of good animals rather than for animals which were merely bred to be exhibited. He would not sanction the reduction or abolition of this Royal grant, but must admit that the conditions under which it was run for might be varied with advantage. The question had been mooted over and over again at most of the agricultural societies in Ireland, and it had been generally agreed that it was better to give these moneys in prizes for the produce than to the animals from which that produce was reared.

MR. A. H. BROWN thought the proposal of the noble Lord (Lord Randolph Churchill) was a better one than giving these prizes as Queen's Plates. He objected to the doctrine that this was money spent on popular sports, and it would be far better to withdraw these Plates and lay the money out at agricultural shows, which would really result in improvements in the breeds of animals.

MR. MORRIS thought that for the last 70 years this had been a perfectly useless Vote, and suggested that the same sum should be applied in importing into Ireland good English race-horses.

MAJOR O'GORMAN said, he was much obliged to the noble Lord (Lord Randolph Churchill) for the admirable manner in which he had brought the subject forward, but he was quite mistaken. Ireland had 1,500 guineas to run for. Let them keep it. If Irish Members once parted with this money, they would never see it again. The noble Lord was mistaken in saying that there were no good stallions in Ireland, which possessed better stallions than were to be found in England. The Committee might depend upon it that if they left the people of Ireland to look after the breed of horses for themselves they would attend to it. In Ireland they had Tom King, the sire of Umpire, one of the best horses in England at the present time. [Lord RANDOLPH CHURCHILL: Tom King was sent to Australia 10 years ago.] He knew what he was talking about, he was talking about Tom King, and not about King Tom. Then they had Jack O'Lantern, and Fenian, and he was splendidly bred. His sire was High Treason, and they could not beat the breed of that horse. They had also Ivanhoe and Lothario, such horses as Englishmen would give all the world for, but Ireland would not part with them. If the Committee said to the Irish Members that they did not improve the breed of their horses because there were not many horses which ran for the Plates, and the time taken was very long, he would say that was the fault of the stewards and of the Earl of Bradford. Let them start the horses, and if they did not get over the course in a certain time let them disqualify the lot, and let another lot run. At Manchester he had seen jockeys smoking while they were taking part in a race, and the horses had been walking in some part of the race. He would come back to his old argument. Let the Committee leave them alone, for they in Ireland knew more about the breeding of horses than did the Englishmen.

SIR PATRICK O'BRIEN admitted that under the present system a very limited number of horses competed for the Plates at the Curragh, and suggested that the money should be so divided that there would be a prize of £700 to be run for in two of the four Irish Provinces alternately each year. By that means a better class of horses would be brought to the post.

LORD RANDOLPH CHURCHILL having expressed his regret for having used on a former occasion an expression with respect to Dublin being a seditious capital, and having stated that he had since learned to know Ireland better, offered to withdraw his Amendment, as his purpose had been served by the discussion which had been raised. ["No, no!"]

Question put.

The Committee *divided*:—Ayes 45; Noes 153: Majority 108.—(Div. List, No. 165.)

Original Question again proposed.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Biggar.*)

THE CHANCELLOR OF THE EXCHEQUER said, he had no objection to the Motion for reporting Progress when this Vote was agreed to.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow*, at Two of the clock;

Committee to sit again upon *Wednesday.*

PUBLIC RECORD OFFICE BILL. (*Lords.*)
(*Mr. William Henry Smith.*)
[BILL 182.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. William Henry Smith.*)

MR. ASSHETON objected to the Bill, which required re-consideration, especially in regard to the provisions for weeding out useless records. It neither provided against the destruction of valuable documents in the weeding of the present accumulation of the public records; nor, on the other hand, did it provide against future accumulations by the exclusion of such documents as were useless. For instance, the captain of every ship had to send in five copies of the log-book of every voyage he made, whereas one ought to be sufficient. He had a further objection to the measure on the ground that documents would be destroyed under its provisions without any veto of Parliament. It was true that certain rules were to be laid on the Table, and if not objected to within 40 days they were to have the force of law, but every hon. Member knew that in balloting it was very difficult to obtain a day for taking an objection before that time passed.

MR. W. H. SMITH said, that the Bill had been carefully considered by a Select Committee of the House of Lords. It had two objects—the preservation of all useful records, and the best means of making the enormous mass of public records available for public purposes. It was, of course, unnecessary that five copies of every log-book should be deposited at the Record Office, and he would take care that before Committee the suggestions which his hon. Friend had made should be carefully considered by the Government and the Master of the Rolls.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

COSTS IN ACTIONS FOR LIBEL (IRELAND) BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to amend the Law in Ireland as to Costs in Actions for Libel, *ordered* to be brought in by Sir COLMAN O'LOGHLEN, Mr. MITCHELL HENRY, and Mr. GRAY.

Bill *presented*, and read the first time. [Bill 194.]

PUBLIC HEALTH ACT (1875) AMENDMENT BILL.

On Motion of Mr. ALEXANDER BROWN, Bill to amend "The Public Health Act, 1875," *ordered* to be brought in by Mr. ALEXANDER BROWN, Mr. LYON PLAYFAIR, Mr. RYDER, and Mr. COWEN.

Bill *presented*, and read the first time. [Bill 193.]

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Tuesday, 12th June, 1877.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Crown Office (84); Quarter Sessions (Boroughs) (99); Local Government Provisional Orders (Altrincham, &c.) * (89); Local Government (Gas) Provisional Orders (Penrith, &c.) * (90).

CROWN OFFICE BILL—(No. 84.)
(*The Lord Chancellor.*)
SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR, in moving that the Bill be now read the second time, said, that at present a great many documents issued from the Crown Office were drawn up in a particular form of words, and were published with certain known formalities, which had

been adopted and followed for a great length of time. It was quite possible that many of these antiquated forms and usages might be altered with advantage; but, perhaps, it would not be altogether advisable to do so without the sanction of Parliament. The Bill, therefore, proposed to give to Her Majesty in Council power to frame rules prescribing the form in which the documents intended by this Bill should in future be worded, and to issue rules regulating the publication of Royal Proclamations. Among other improvements contemplated, he might mention that all statutes would be cited by their "short titles;" and statutes, Bills, persons, and other matters required to be enumerated might be given in a Schedule, instead of being included in the body of the document. A great change proposed was this—At present the Great Seal and Privy Seal were affixed to documents by the somewhat clumsy and rude arrangement of an impression made on a great lump of wax. Letters Patent more especially, of which somewhere about 100 were issued every year, were subjected to this very cumbersome and inconvenient method of affixing the Great Seal. It made the document clumsy and unhandy, and the Seal was especially liable to be defaced or broken; and their bulk made their custody a serious question. The Bill proposed to give to a Committee composed of three great Officers of State to direct impressions bearing the same decrees as the Great Seal and the Privy Seal, and either of the same size, or smaller, to be taken on embossed paper, wax, wafer, or any other material: these impressions were to be kept in the same custody as the Seals themselves, and when attached to or embossed on any document, would confer on that document the same validity as if it were authenticated by the Seal itself. The Committee were to provide for a record, to be kept at the Crown Office, of all Justices of the Peace appointed in pursuance of any Commission of the Peace issued by Her Majesty —for, at present, although the names of the Justices were given in the Commission, no Schedule was kept at the Crown Office; and it was also intended that space should be left in which might be inserted the names of such magistrates as might be appointed after the Commission had been issued. The Committee were to prescribe the documents to which the Wafer Great Seal and the Wafer Privy Seal were hereafter to be attached. They were to prescribe the mode in which these documents were in future to be prepared—whether to be written or printed, or partly written and partly printed, and whether on paper, parchment, or other fitting material; and it was provided that in all cases engrossing should be dispensed with, and printing as far as possible adopted in place of writing.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

QUARTER SESSIONS (BOROUGHS) BILL.

(*The Lord Winmarleigh.*)

[NO. 99.] SECOND READING.

Order of the Day for the Second Reading, read.

LORD WINMARLEIGH, in moving that the Bill be now read the second time, said that, under two existing Acts of Parliament the Town Council of a corporate city or town could by resolution appoint an Assistant Barrister to sit in one division of the Court of Quarter Sessions; but a resolution of the Council was required on each occasion when such a power was proposed to be exercised, and the Assistant Barrister was not entitled to claim remuneration for more than two days in a session. The object of this Bill was to enable Town Councils to pass such a resolution for a whole year instead of for a session, and to extend to four days in a session as the time for which the Assistant Barrister might claim remuneration. In Liverpool and other large towns it was found that two days' assistance from a Barrister appointed under the existing law was not sufficient.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

House adjourned at half-past Five o'clock, to Thursday next, half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 12th June, 1877.

MINUTES.]—NEW WRIT ISSUED—*For* Huntingdon County, *v.* Sir Henry Carstairs Pelly, baronet, deceased.

SELECT COMMITTEE—Parliamentary and Municipal Elections (Hours of Polling), Mr. Hunt *discharged*; Sir Charles Adderley *added*.

SUPPLY — *considered in Committee*—CIVIL SERVICE ESTIMATES — CLASS II. — *Resolutions* [June 11] *reported*.

PUBLIC BILLS—*First Reading*—South Africa * [195].

Committee discharged — Referred to Select Committee—Canal Boats * [162].

Select Committee—Saint Stephen's Green (Dublin) * [167], *nominated*.

Select Committee—Report—Pier and Harbour Orders Confirmation (No. 2) * [154-196].

Committee—Report—Local Government Provisional Orders (Bridlington, &c.) * [170].

Considered as amended—Prisons [121], *debate adjourned*; Removal of Wrecks * [181].

Third Reading—Metropolitan Commons Provisional Order * [180], and *passed*.

QUESTIONS.

The House met at Two of the clock.

NAVY—TRAINING SHIPS FOR BOYS.

QUESTION.

CAPTAIN PIM asked the Secretary of State for the Home Department, If the Resolutions of the Middlesex Court of Quarter Sessions, adopted on Thursday the 26th of April last,—

"That the establishment of ships at various parts of the country for the training of boys for the sea service, especially for the manning of the Mercantile Marine, having proved highly beneficial for this purpose, and also by providing employment for a number of boys who would otherwise become destitute or criminal, it is desirable that these training ships, now numerically insufficient, should be largely increased in number, or institutions somewhat similar to that at Feltham, in Middlesex, be established in every county in the kingdom;

"That a representation be made to the Government to the above effect, and, especially, that it is desirable for training purposes to station a ship in the Thames, opposite the Temple, where she would be likely to attract public attention and relieve the Metropolis of a large class of boys, a class which will annually become more numerous from increase of population alone, and for which there exists at present no adequate employment;

"That the expense of such training ships should be maintained by payment from parents or friends, or from parishes, or others placing boys on board the training ships, and by a Government grant similar to that now given for boys on board reformatory or industrial training ships;"

have yet received his personal consideration, and, if so, with what result?

MR. ASSHETON CROSS, in reply, said, he had received a memorial on the subject, and thought the best course in the first instance was to consult the Admiralty in the matter. The Admiralty had sent him a reply to the effect that they had already five of those ships, and that the whole matter was under their consideration, and that they would communicate with him further in regard to it.

POOR LAW—PROSECUTIONS—FARRINGDON BOARD OF GUARDIANS.

QUESTION.

MR. HOPWOOD asked the Secretary of State for the Home Department, Whether it be the fact that the Chairman of the Farringdon Board of Guardians acts as justice in deciding charges ordered by himself, present as one of the guardians, to be prosecuted; whether such a proceeding can be justified by the Act 5 and 6 Vic. c. 57, s. 15; whether it is the fact that the clerk to the guardians in some such prosecutions, as for instance for non-vaccination, is allowed by the Bench a fee for attendance as attorney to prosecute; and, whether such allowance is proper?

MR. ASSHETON CROSS, in reply, said, it was true that in that particular case the justices of the peace, who were, of course, all *ex officio* Guardians, took considerable interest, happily, in their duties as Guardians. It must not be supposed that any particular justice took any part in any particular prosecution. If, however, any justice had taken a prominent part in any case that came before the Guardians, he would exercise a wise discretion not to sit on the Bench when that case had to be decided. But in this instance he understood that the justice in question had taken no part in the matter when it was before the Board of Guardians. As to the latter part of the Question, he had consulted the President of the Local Government Board, and was informed that it was the duty of the clerk to the Guardians to conduct all prosecutions on behalf of the Board at petty sessions

without payment; that the Board held that that did not extend to prosecutions under the Vaccination Act, which were instituted by and in the name of the vaccination officer; that the justices had power to order the payment of such costs as they might deem reasonable, and that, so far as the law was concerned, there was no reason why that should not extend to the fee of the clerk of the Guardians. But he was bound to say he thought the clerk might perform the duty without fee.

IRISH CONSTABULARY ACT, 1874—CONTINUANCE.—QUESTION.

MR. FRENCH asked the Chief Secretary for Ireland, Whether, in view of the fact that the Royal Irish Constabulary Act 1874 expires in July next, it is his intention to introduce a Bill this Session to further continue that Act; and, if so, whether he can inform the House when it is likely to be introduced?

SIR MICHAEL HICKS-BEACH: I have already given a Notice of Motion upon the subject of the salaries of the Royal Irish Constabulary for this day. The part of the law relating to the Constabulary which expires next month is the authority given by the Act of 1874 to pay the salaries of the officers and men of the Force. In renewing that authority I had hoped to propose other changes in the law which appeared desirable. But the state of Public Business has certainly prevented the introduction of a Bill dealing generally with the subject; and it is therefore now my intention practically to confine the Bill to that point.

EGYPT—FINANCIAL POSITION OF EGYPT.—QUESTIONS.

LORD ROBERT MONTAGU asked the Under Secretary of State for Foreign Affairs, Whether information from the Consul General at Cairo has reached the Foreign Office to the effect that the total which will be required on July 15th to pay the coupons and drawings of the Egyptian Unified Debt (viz. £1,800,000 for coupons and £300,000 for drawings) will not be forthcoming; whether it is true that the amount now ready is only £600,000, with an expectation of obtaining about half a million more by the sale of cereals (if this can be effected); and, if he will lay upon the Table any information which has been received from the Consul General relative to these payments?

MR. BOURKE: I must remind my noble Friend that the British Government are not responsible for Egyptian finance. If I were to make any statement in answer to the Question of my noble Friend it might, on the one hand, have the effect of unduly benefiting Egyptian finance; while, on the other hand, it might have the effect of unduly damaging that finance. Under these circumstances, I think my noble Friend will see that the course which is most consistent with the relations which exist between Her Majesty's Government and Egyptian finance is for me, upon this occasion, to refrain from answering the Question put by my noble Friend; nor is it the intention of Her Majesty's Government, as at present advised, to lay any Papers upon the Table of the House with reference to this subject.

LORD ROBERT MONTAGU: Perhaps the Under Secretary of State for Foreign Affairs will tell me whether it is one of the duties of the Consul General to keep Her Majesty's Government informed upon this point?

MR. BOURKE: It is one of the duties of all Consuls and Consuls General to keep Her Majesty's Government informed upon all subjects relating to the finance, politics, and commercial affairs of the countries in which they reside.

ORDERS OF THE DAY.

PRISONS BILL—[BILL 121.]

(*Mr. Assheton Cross, Sir Henry Selwin-Ibbetson.*)

CONSIDERATION.

Further proceeding on Consideration, as amended, *resumed.*

MR. BIGGAR moved the following Clause:—

(Return to be laid before Parliament of special punishments.)

"That a Return be laid before Parliament early in February of each year setting forth the special punishments inflicted in each gaol during preceding year, with the reasons by the prison authorities for such punishments."

He believed such a Return would be as a useful check on [illegible]

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. ASSHETON CROSS pointed out that the hon. Member's object was practically met by the Bill in its present shape. He did not mean to say there was to be a detailed return of each prisoner's case, but there was to be an annual Report as to the special punishments inflicted in each gaol, which would enable them to compare the discipline of one gaol with that of another.

Motion and Clause, by leave, *withdrawn*.

MR. BIGGAR moved the following Clause:—

(Complaint book to be kept in each gaol.)

"That a complaint book be kept in each gaol, in which every prisoner shall be at liberty weekly to enter any complaint he chooses to make; said book to be open to inspection by the public on payment of a fee of one shilling for each person who applies to see it."

The object of this clause was that convicted prisoners should be able to make their complaints heard by their friends, or by means of societies, acting upon humanitarian principles, so that if there was anything wrong in their treatment it might be put right, either by the ordinary legal means or by force of public opinion brought to bear on the matter complained of. It was known as a fact that O'Donovan Rossa, Chambers, and other persons had been badly treated; and he urged that had there been proper means of bringing the complaints in these cases before Parliament a remedy would speedily have been applied.

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. P. A. TAYLOR said, he was not sure whether the clause before the House was the best that could be passed; but he hoped the Home Secretary would either accept it, or propose something that would better answer the purpose. The wish of the right hon. Gentleman, no doubt, was that a prisoner should undergo the full punishment the law allotted him, but not that he should be subject to the irresponsible tyranny of prison officials. The power exercised by warders in gaols and keepers in lunatic asylums was so terrible that every precaution ought to be taken that no abuse should be perpetrated, and there should be an absolute power of appeal. He had received a letter from a person who had just undergone 12 months' imprisonment with hard labour in Holloway Prison. He was a person of some education, and had for 20 years had an unblemished character, having during that time held the position of manager of a considerable mercantile establishment in the City. He yielded to temptation, not, he declared, with any intention to defraud his employers, and was convicted of embezzling a small sum. He made no complaint of the superior authorities of the prison, of whom he spoke in terms of high praise, but he said great cruelties were practised by the warders and other subordinate officials, many of whom, by their ignorance, violence of temper, and natural malevolence of disposition, were totally unfit to be entrusted with powers which they systematically abused. Complaint to the Governor was useless, as these men made common cause, and the last state of a prisoner who complained was worse than the first. Again and again the writer of this letter had seen them goad a man into saying something for which they could report him. One prisoner sentenced to 14 days was made to carry loads for which he was manifestly unfit, and when he broke down, he was placed on the treadmill, from which he fell down dead, having been in prison only nine days. There was the solemn farce of an inquest; but the fellow-prisoners of the dead man dared not tell what they had seen. One prisoner stated that he had been confined in a dark cell for three days for striking a fellow-prisoner who used insulting language, and there chained to the wall by thumbscrews. After a time he could do nothing but moan, and ultimately he went out of his mind and had to be removed to the infirmary. The marks of the cruel instruments were visible on his hands for weeks after. Another grievous hardship was the impossible tasks which prisoners were set to fulfil. Quantities of oakum were given to them

which only habitual criminals who had had experience at the work could pick in the allotted time, and failure in their task subjected them to what was really a terrible deprivation—the stoppage of their supper bread. The writer of this letter further stated that his weight, which was over 13 stone, was reduced to less than 11 stone owing to the insufficient quantity of food he received, and he gladly devoured scraps of dirty bread intended for the pigs, raw potatoes, mangel wurzels, and anything eatable that he could find. One prisoner, who was not in his right mind and could not do his quantity of work, was declared to be lazy, his food was stopped until he was too weak to do it; and if ever anyone died from starvation that man did. The severity of the punishments for slight offences was another grievance, three days' confinement in a dark cell being inflicted for giving a little bread to a fellow prisoner who was almost starving. The name of the writer of this letter was at the service of the Home Secretary. He appealed to the Home Secretary, either to accept that clause or to bring forward any other which would give every prisoner who was wronged some appeal.

MR. O'SULLIVAN supported the clause as calculated to put some check on the tyranny and the petty persecutions inflicted by warders and Governors of prisons on prisoners. One boy had been illegally punished with 72 hours' bread and water, 48 hours only being legal. Again, a prisoner was entitled by law to see his friends six months after he had been sentenced to transportation; but in the case of his own son he was not allowed to see him for 20 months, and his letter applying to the Governor of Portland Prison for that privilege was returned to him. Such Governors of prisons required looking after, and he therefore hoped that clause would be pressed to a division.

MR. CHILDERS said, he thought it would be very desirable if between the present time and the date when those gaols were taken over by the Government a Royal Commission were appointed to inquire into the discipline and internal administration of our public prisons. He did not make that suggestion in consequence of any want of confidence in the Home Secretary, or in Colonel Du Cane (Surveyor General of Convict Prisons); but he thought it was evident, from the debates of the last three months, that neither that House nor the country would be satisfied unless such a thorough and impartial inquiry as he had indicated were instituted before the Bill came into operation. The inquiry need not take long, and, whatever its result, it was sure to be of great practical value. He believed that there had been no Commission of that kind since the year 1863 or 1864, when he had the honour of being one of its Members.

MR. E. JENKINS thought that if it were true there were cruel and malicious persons capable of doing what had been alleged employed as warders in our gaols no more direct means of insuring that they would take vengeance on the prisoners under them could be devised than a system of complaint books, in which prisoners would be allowed to enter complaints against those officials. In most cases the complaints would, on investigation, be found to be frivolous, and it was only to take a correct estimate of human nature to suppose that the prison officials would, in some way or other, endeavour to pay out those prisoners who had drawn attention to particular cases. Moreover, there appeared to him at the present time a very strong tendency to push humanitarian sentiment to the very farthest extreme, so that it almost became a sort of disease; and the result would be that unless some check were adopted everyone would become suspicious whenever punishment was inflicted on persons who had offended. We had anti-vaccination, anti-vivisection, and soon we should be called upon to provide first-class hotels for our prisoners. He would ask the House whether it was right that it should be led away by the stories told by prisoners. The only practical way was to place the matter under the supervision of the Home Secretary, and they might depend upon it that cases of an extreme character would, in some way, reach the ears of some hon. Members of that House. Supposing the hon. Member for Meath (Mr. Parnell), or some other hon. Member sitting near him, had been in gaol and had the opportunity of writing in a book of this sort, they could easily imagine the state of things which would have been created. The reporters would have gone and paid

their shillings and the complaints would have been reproduced in all the newspapers, and public sentiment would have gone to the prisoners. He had every desire that practical measures should be taken to provide that no cruelties should take place in prisons; but with regard to the proposal before the House, he questioned whether it was a practical one. It was his opinion that the supervision should be left entirely in the hands of the authorities.

MR. M'LAREN said, a fallacy, underlying all the statements of the hon. Gentleman, was that the prisoner was the only person to be considered if the book were established. He thought the book would be an admirable institution. It would, at least, warn Governors and the petty officers of prisons that there was a mode of reaching the public from which they had no escape. Such a warning would, in his opinion, have a material effect in suppressing the petty tyranny which characterized the internal arrangements of some prisons.

MR. HIBBERT said, he thought that some additional provision ought to be introduced for the protection of prisoners now that the prisoners were to be handed over to the control of the State; and though he did not approve of the proposal to allow the public to inspect the complaint book, he considered it would be a wise thing to give prisoners the power to enter complaints into the book, on the understanding that it should be brought to the notice of the visiting justices from time to time, and also open to the inspection of any magistrate of the county.

MR. ASSHETON CROSS was extremely surprised to hear what had fallen from his hon. Friend the Member for Oldham (Mr. Hibbert), especially as the hon. Gentleman had been a visitor to a gaol for many years. The responsibility of receiving and hearing complaints rested on the visiting justices, and it was properly appreciated. It was their special duty by the Act of Parliament. The result of the establishment of such a book as that proposed by the clause would be to multiply complaints for the express purpose of getting them entered into the book. He must object to the manner in which the hon. Member for Leicester (Mr. P. A. Taylor) had read the details of an alleged case of hardship without any Notice of his intention to do so. It would have been but fair that the official implicated by that statement should have had an opportunity of answering it. [Mr. P. A. TAYLOR: I only received the letter yesterday.] But if Notice had been given yesterday, and the official had been communicated with, an answer of some sort might have been received that morning. It was certainly hard for those officials to have such very grave charges brought against them behind their backs. Indeed, allegations of that kind ought not to have been made in that House at all until they had been substantiated. He could only say at present that if the hon. Member would furnish him with the necessary particulars, he would cause the case to be strictly inquired into. To return to the subject before the House, he had to remind hon. Members that prisoners very often made unfounded complaints, and that it would not be wise to allow these to come before the public. He believed the visiting justices might very properly be left to deal with all cases of hardship, or alleged hardship, which occurred in prisons. His own invariable practice when a visiting justice was to insist upon seeing all the prisoners in private, quite apart from both the Governor and the warders, and he believed other visiting justices did the same thing. On the whole, therefore, he did not feel that there could be a better safeguard for the proper treatment of prisoners than was already provided in the Bill. With regard to the suggestion of a Royal Commission, he had to state that it had always been his intention, after the passing of the Bill, to appoint a certain number of independent gentlemen to inquire into the state of the gaols throughout the country. Their inquiry would be prosecuted during the Recess, and he hoped to be prepared with a set of rules drawn up from their Report at the opening of the next Session of Parliament. He trusted the House would be satisfied with the explanation he had given.

MR. W. E. FORSTER considered that a Royal Commission was necessary, and believed that it would have more weight than the method of inquiry which the Home Secretary had indicated. Of the necessity of an inquiry there could be no doubt. There could be no question that all the authorities in a prison, especially the subordinate authorities, who were in contact with the prisoners,

must be under very great temptations. He could imagine nothing more provoking than having to deal with the general run of prisoners. Therefore, there was an absolute necessity for the strictest supervision, and from time to time an inspection by the public, through Parliament, with the view of seeing how far that supervision was carried out. It was to be remembered, however, that all the visiting justices were not likely to exercise the discretion shown by the Home Secretary. As regarded the clause before the Committee it was hardly possible to vote for it, for it was open to the objection that prisoners would not make use of it, and if they did it would be open to abuse. He trusted that, considering how public attention had been directed to the matter, and the statements that had been made, the Government would not overlook the suggestion as to a Royal Commission.

MR. PARNELL said, he thought the hon. Gentleman the Member for Dundee (Mr. E. Jenkins) had been forgetful of the maxim that humanity, like charity, begun at home. He had frequently and very properly intervened to secure the humane treatment of the subjects of a foreign Power, and yet he decried the exertions which he (Mr. Parnell) and some others had endeavoured to make in the course of the discussion on this Bill to obtain an amelioration of the treatment of our prisoners, which was not a consequence of their sentence, but merely the result of the whims of subordinate officials of the prison. A great deal of the delay attending the passage of the measure might have been avoided if the Home Secretary had shown a proper appreciation of the task before him. The rules regulating the discipline of the prison and the treatment of prisoners should have been embodied in the Bill, and not left to the discretion of the Home Secretary. The power at present invested in the gaoler by the Act of 1865 to inflict punishments was a very arbitrary one and ought to be restricted. Under that Act the gaoler had the power to inquire into an offence and to sentence the prisoner to three days' close confinement and bread and water. That system of starving prisoners was a most inhuman one, and ought to be at once remedied and swept out of the statute.

MR. SHERIDAN thought the book would enable the visiting justice to go at once to the prisoner who was ill-treated.

MR. ROWLEY HILL opposed the clause. As a visiting justice he could say he had never experienced any want of readiness on the part of prisoners to make complaints, and he thought the institution of a complaint book quite unnecessary.

DR. KENEALY hoped that a Royal Commission would be appointed. If anything had been clearly demonstrated it was that cruelties of the worst description habitually prevailed in the prisons. As to the prisoners having redress by action at law, there was no case, he believed, extant in which an action had been brought by a prisoner against the Governor of a prison. That did not prove that cruelties did not prevail, but that there was an absolute impossibility of getting justice for cruelties committed in these prisons. They had it on record that O'Donovan Rossa was tortured by his gaolers, and that the facts were entirely misrepresented to the Home Secretary. They had yet to learn that any punishment had been inflicted on that gaoler for the infliction of the torture and for the misrepresentation, and, for aught they knew to the contrary, he might be still employed in a similar capacity. How could the Home Secretary exercise supervision when the facts were misrepresented to him? He hoped that a Royal Commission would be appointed to inquire into the matter, and that it would consist of independent Members of that House. That Commission would be the very best safeguard the Home Secretary could have with regard to the rules he was about to frame.

MR. A. PEEL said, the statement was erroneous that cruelties of the worst description were perpetrated in our gaols. There was some ground for insisting that complaints by prisoners should be entered into a book, which should be open to the inspection of visiting justices. Such a book did not exist in all gaols. He suggested that the proposed clause should provide that the book should be open to the inspection of any visiting justice or magistrate. If it were so altered, he would vote for it.

MR. MACDONALD objected to the charge of 1*s.*, but thought that a com-

plaint book would serve as a guide to the visiting justices.

MR. O'CONNOR POWER denied the accuracy of the statement made by the Home Secretary that the complaints made of ill-treatment referred to convict establishments. The complaints which emanated from the hon. Member for Limerick (Mr. O'Sullivan), a recital of prison experience, referred to a county prison in Ireland. Those he (Mr. Power) referred to on a previous occasion also related to county prisons. It would be fairer to the visiting justices in the case of a large prison to give them an opportunity of examining the state of the prisoners through the medium of the complaint book than through that of a visit to the cells. Their contention was that under the administration of these visiting justices these cruelties had been perpetrated; and when the right hon. Gentleman argued that they were bringing forward charges entirely unfounded he could assure the right hon. Gentleman that he could not convince him, after having passed nearly four months in solitary confinement; and if they could do things to a man for uttering words on an Irish platform not nearly so strong as he had spoken in that House, what would they do to a man who had committed an ordinary breach of the law? What would the man that was capable of punishing him because he was suspected of a political offence have done if he was an ordinary offender? He hoped that the House would not be put on a wrong scent by speeches of that kind.

MR. EVANS did not approve of the clause as it stood. He thought the Home Secretary could not reasonably object to complaints being entered in a book; but the most complete way of getting at the grievances of prisoners was to see them separately in their cells, in the absence of warders and Governors, and to insist upon inquiry where necessary.

MR. RYLANDS said, the clause would, at any rate, serve to check the disposition of some Governors to carry out their duties in a harsh manner.

MR. CLIVE did not believe there was any foundation for the allegations made against the visiting justices. On the contrary, he thought these gentlemen carried out their duties with the utmost forbearance and discretion.

Question put.

The House *divided*:—Ayes 94; Noes 227: Majority 133.—(Div. List, No. 166.)

MR. BIGGAR moved to insert the following clause:—

(Before special punishment prisoner shall be heard at petty sessions.)

"That, before any special punishment is inflicted on a prisoner, the said prisoner shall have an opportunity of having his case heard before the justices of petty sessions in open court, who may either confirm or disallow the said proposed punishment."

The hon. Member said, this clause was in some respects different from that which had just been thrown out, but, at the same time, the object was, in some respects, the same—that was, to take care that the prisoner should not have more punishment than the rules at present allowed, or more punishment than could be supported by public opinion. It was said when this Bill was in Committee that it did not matter much about what rules were passed by this House, for they had to look to those who administered the law. It was very desirable that the public should have all complaints heard in order that the influence of public opinion should be brought more or less upon the sessions in different cases. They knew that it was very difficult even to get at a satisfactory decision in open Court. For instance, in the Tichborne Case, he would say that the sentiment of the British public was very nearly right, and a very large proportion of the English people believed that that gentleman was thoroughly innocent of the charge brought against him. Tichborne was tried before an able Judge; and the best case which could be made out by able counsel and by witnesses—some of them of the most disreputable kind—was brought against him, and he was defended by an able and experienced advocate, and at the same time he was found guilty. In the case of a prisoner brought before visiting justices and making charges against warders, it was an absurdity to suppose that he would receive *bond fide* justice. All that he asked was that these charges should be heard in open Court. If justices gave a proper decision so much the better; but if they gave a decision which was unfair, there would be at least some chance that the public would hear of the misconduct of these justices — he did not think it

was intentional misconduct, but, at the same time, they were sometimes prejudiced—and the public would have an opportunity of forming an opinion as to whether or not the judgment of these justices was sound or not. They had heard that day of a prisoner having been kept long behind the time allowed by the prison rules, and also of a thumbscrew having been used to a political offender, and neither of these things would have occurred had there been an appeal to an open Court. The warders at present were beyond the reach of public opinion, which ought to be brought to bear upon all subjects, and certainly in connection with the visiting justices. It was generally held that the leading principle of British law was that the subject should be tried in open Court, so that in this case the British public should know what was done by the visiting justices.

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. PARNELL said, he hoped that the Home Secretary would take the arbitrary power of gaolers into consideration. The present state of the law was certainly not in accordance with the Common Law of the land. A gaoler was a very unlikely person to come to a competent decision, and he should not have the power of inflicting solitary confinement for 72 hours on a prisoner, as he could do under the Act of 1865; and he certainly should not have the power of confining men 24 hours simply by informing the visiting justices that he had done so. If the Home Secretary did not see his way to accept the clause as it stood, he trusted that he would meet it with some concession in the same direction in which the clause pointed.

MR. ASSHETON CROSS resisted the Amendment, as being unnecessary, inasmuch as ample safeguards were already provided against the abuse of the power of inflicting punishment. As to the inquiry which would take place upon the framing of the rules for the regulation of prison discipline, he would take care that it was as thorough as possible.

Question put, and *negatived*.

Mr. Biggar

MR. BIGGAR then moved the following Clause:—

(Corporal punishment to be awarded by open court.)

"That corporal punishment shall in no case be exercised on any prisoner unless by order of a competent tribunal sitting in open court."

The hon. Member said, his own opinion was, that flogging should not be inflicted in any case; but, as by a decision the House had allowed the infliction under certain conditions, it was only right and just that all precautions should be taken to make the use of the power to inflict it as difficult to exercise as possible, and that prisoners should have the right to make their defence heard after a proper examination of witnesses. This clause, though in some respects resembling that which the House had just rejected, differed in so far as it could not be maintained that flogging was a punishment that had to be administered immediately after the offence. The tribunal for appeal need not be the quarter sessions. That was open to objection, because the quarter sessions might not meet until after the term of the prisoner's confinement had expired. An appeal to petty sessions would insure the security he wished to obtain.

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. ASSHETON CROSS said, he hoped the House would excuse his not going at length into the question, because the principle had been discussed fully in the consideration of former clauses. He felt bound to say his opinion had not been changed by any arguments he had heard. To adopt such a clause would be most prejudicial to prison discipline, and all those cases of punishment must be dealt with by the visiting justices.

MR. A. MOORE regarded it as perfectly monstrous that such a terrible power should be placed in the hands of one visiting justice, as practically it would be left. He, therefore, supported the clause.

MR. O'SULLIVAN said, although he could not agree with the last clause proposed, yet he did quite agree with the present one. Flogging was a terrible

punishment, and should in no case be inflicted in a hurry and without sufficient inquiry. That was all the clause sought to provide. He hoped the Home Secretary would be induced to re-consider his decision; and if he did not do so, he hoped the Motion would be pressed to a division.

MR. PARNELL said, he hoped they would have some assurance that a responsible tribunal should regulate the special punishments mentioned in the Act of 1865. These punishments were —confinement for a month in a cell, putting in irons for a time not stated in the Act, and also flogging. He would suggest that the number of visiting justices to decide upon the punishment should be increased to three. Even if the number were made two instead of one, his hon. Friend (Mr. Biggar) might be induced to accept such a concession and withdraw his Amendment. He regretted that, though toiling in the discussion of this Prisons Bill night after night, they had not met with a single concession, but were always met by the rules—the splendid rules!—the Home Secretary would have framed. But he did not see how any of these rules could govern or repeal the Act of 1865, and it was certain portions of that Act it was desired by the clause to limit.

MR. ASSHETON CROSS said, it was his desire that the punishment of flogging should be resorted to as seldom as possible, and under the strictest possible rules, and if anyone would examine the statistics, they would see that the number of cases in which it was resorted to was extremely small. It had practically ceased in some prisons, but the retention of the power was a good thing. Although he thought inquiry by one justice would be sufficient as to the expediency of inflicting corporal punishment in a particular case, he was willing so far to accede to the wishes of hon. Gentlemen opposite as to consider whether the inquiry should not be made by two justices, and the matter, he could assure the House, would receive the best attention of the Home Office in framing the necessary rules.

MR. DILLWYN thought the public would always look upon the visiting justices as *quasi*-prison officials, and it would be desirable to have some other authority.

MR. MITCHELL HENRY said, the Home Secretary must admit that punishment by flogging varied in different prisons. In some it had become a habit, while in others it was banished. The reason why flogging was infrequent in convict prisons was because it was not inflicted except by order of one of the visiting Commissioners. ["Divide!"] If it were considered that flogging should not be inflicted except after due inquiry, such as governed convict prisons, then it would accomplish what was desired; but if it were to be left in the hands of a couple of magistrates without responsibility, he should feel bound to support the Amendment. ["Divide!"] There should be no such distinction between county and convict prisons, and he hoped his hon. Friend would divide the House, and that somebody else would raise the question again. ["Oh, oh!"] He knew quite well that hon. Members who interrupted him did not care twopence about prisoners being flogged, but he did care.

MR. RITCHIE rose to Order. Was the hon. Gentleman in Order in addressing remarks to hon. Members on that side?

MR. SPEAKER said, the rules of debate required hon. Members to address their observations to the Chair.

MR. MITCHELL HENRY denied the right of the hon. Member (Mr. Ritchie) to lecture him, and as his remark was made with the object of interrupting his speech, he felt bound to notice it. For his own part, he would not consent to have the matter lightly passed over. Flogging was got rid of in the Army, and he hoped would be abolished in the Navy. Flogging was nearly got rid of in convict prisons, and should not be retained in other prisons.

MR. CHILDERS hoped that after the alteration proposed by the Home Secretary, requiring the consent of two visiting justices, the hon. Member for Cavan would withdraw his clause.

MR. RITCHIE said, all the observation he had made was to cry "Divide," when he thought the hon. Member for Galway had finished his speech. The hon. Member was not justified in making use of the language he had employed towards himself and other Gentlemen who sat on that side of the House.

SIR HENRY SELWIN-IBBETSON said, that the discipline of the prison

would be destroyed by a trial of this kind in open Court. The provision of two justices would afford ample security, and flogging would be inflicted as seldom as possible, and under the strictest surveillance.

MR. BIGGAR said, his main point was not so much the number of the visiting justices, but to secure the publicity of sentences for flogging. On that point he should divide the House.

Question put.

The House *divided*:—Ayes 49; Noes 289: Majority 240.—(Div. List, No. 167.)

MR. E. JENKINS moved the following clause:—

(Where site of prison is of greater value than the cell accommodation prison authority not to make payment into Exchequer.)

"Where in any case the site of any prison or prisons vested in any prison authority, including the ground within the boundary of the walls thereof shall, in the opinion of the Secretary of State, be of greater value than the value of the cell accommodation necessary under the provisions of this Act for the district under the control of such prison authority, such value being ascertained by the number of cells required at the rate of one hundred and twenty pounds for each cell, the prison authority shall not be bound to make any payment under this Act, into the receipt of the Exchequer, in respect of inadequate cell accommodation."

The hon. Member said, if the Bill were to pass in its present shape, a serious injustice would be done to the county of Forfar. Under the 5th section the prison, which was situated in Dundee, upon land of very great value, would be transferred to the Imperial authorities, and although the cell accommodation in that prison was really ample for the purpose for which it was required, yet the effect of the 17th section would be that whereas the Government would take over a site which, in round numbers, would be worth £10,000, he was informed that owing to the incomplete accommodation in the existing cells in Dundee prison, another £10,000 would be payable to the Government in respect of that matter, so that practically it would be a fine of £20,000, in round numbers, upon the county.

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. ASSHETON CROSS said, he should be glad to meet the hon. Member for Dundee as fairly as possible. But first of all he would say that the value of the site would be to him no good in the world. What he wanted was a certain number, say 100, good cells, and his complaint against the Dundee prison was that it would not do for the purpose for which it was wanted, and, so far as the Exchequer went, it would be quite impossible to take the value of the site as a set off. Dundee was bound to have provided certain cell accommodation, and that she had never done. The fact was that the Inspectors had not put the Acts of Parliament in force strongly enough against Dundee, and the money which ought to have been expended some years ago on prison accommodation had been fructifying in the pockets of the inhabitants and bearing interest. He believed that the hon. Gentleman would not deny that the prison of Dundee was a very bad one; indeed, it had been described as "abominable." If any hardship had been inflicted upon anybody, it was upon the prisoners, who for the last seven or eight years had been confined in cells in which they ought not to have been confined, and that was the fault of the inhabitants of Dundee. Now, he would make a fair proposition to the hon. Gentleman. He believed that the prison of Dundee happened to be situated in a part of the town which made it extremely valuable, and the price of land would, he was told, bring in a considerable amount of money. He also heard that it would be difficult to make this prison into a very good one. Under these circumstances, and without talking more about the hardship one way or the other, he thought the best arrangement in this case, when the Government came to settle with the inhabitants of Dundee, would be that the prison should be sold altogether by the Government, and that they should build a new one, any deficiency which there might be being made up by the inhabitants.

MR. J. W. BARCLAY recommended the hon. Member for Dundee to accept the proposal of the Home Secretary, but thought it was hardly fair on the part of the latter to speak in such strong language respecting the Dundee Prison. That building was of a most substantial

character, causing it to last much longer than buildings that had been erected in other quarters, but when first erected it was considered capable of meeting the requirements of the district.

MR. YEAMAN was not quite sure that the proposal of the Home Secretary would be considered satisfactory by the people of Dundee. The present prison was remarkably well situated for the purposes for which it was built. He thought it unfair that they should be saddled with £15,000 or £16,000 for additional cell accommodation, when there was plenty of ground in the immediate vicinity for the purpose of enlarging the present prison building.

MR. KINNAIRD, as connected with the district, ventured to recommend his hon. Friend to accept the offer made by the Home Secretary.

MR. E. JENKINS could only say that the offer of the right hon. Gentleman was quite open to be considered hereafter. The Scotch Bill had yet to come on, and it was unnecessary, therefore, for him to accept it. He only wanted to ask the right hon. Gentleman whether it was to be understood that the rule of the 17th section would be adhered to, and that he would be willing to accept £120 a cell from the prison authorities?

MR. ASSHETON CROSS: No.

Motion and Clause, by leave, *withdrawn.*

SIR WILLIAM HARCOURT moved the following clause:—

(Contribution by University of Oxford.)

"The chancellor, masters, and scholars of the University of Oxford shall, in consideration of their being relieved from their obligation under the Oxford Police Act of 1868 to contribute to gaol expenses, pay to the mayor, aldermen, and citizens of the city of Oxford, on or before the first day of April, one thousand eight hundred and seventy-eight, the sum of four hundred pounds; and the said chancellor, masters, and scholars shall, from that date, be discharged from all liability under the said Act in respect of gaol expenses."

Clause *added.*

MR. BIGGAR moved the following clause:—

(Officers of prison to be liable for damages for excess of punishment.)

"That whenever the governor or other officer of a gaol, or the visiting justice or justices, punish a prisoner contrary to the prison rules or in excess of the prison rules, said governor, officer, or visiting justice or justices shall be liable to an action for damages at the suit of the prisoner or of his executors, administrators, or assigns."

The hon. Gentleman said, there had been a case in which a prisoner was confined for 72 hours in solitary confinement instead of 48 hours. This was clearly illegal, and it was only right that the prisoner should have taken proceedings against the parties who inflicted such punishment. If the man had died, it would have been right that his representatives should have been able to recover the amount which would have been recoverable for culpable negligence in a case of accident.

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE SOLICITOR GENERAL pointed out that all that was important in the clause was already provided for in the law, and that the only mode in which the clause might operate would be that of an action for some trumpery assault brought by an attorney who wanted costs.

MR. SERJEANT SIMON observed that the clause would give to convicts a right which it did not give to persons who had not been convicted of crime.

Motion and Clause, by leave, *withdrawn.*

MR. H. B. SHERIDAN moved the following clause:—

(No person to be detained more than three months without trial.)

"No person shall be detained in custody after being committed for trial for a longer period than three months without being brought to trial: Provided always, That if it shall be made to appear to a judge of the High Court of Justice that the further detention of such person is necessary in order that his trial may be duly and justly had, the said judge may from time to time make such order as to the postponement of the trial and the detention of such person as to the said judge may appear right: Provided also, That nothing herein contained shall affect the provisions of the statute passed in the thirty-first year of the reign of Charles the Second, intituled, 'An Act for the better securing the liberty of the subject, and for Prevention of Imprisonment beyond the seas.'"

At present, the hon. Member remarked, prisoners awaiting trial were kept in

gaol eight and ten months; and this detention amounted in itself to a very considerable punishment. The excuses for this system were purely financial, it being more economical to keep the persons in gaol than to send them to be tried. Nearly all the lawyers he had spoken to were in favour of an alteration of the law.

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. ASSHETON CROSS said, that even if the clause were passed the object which the hon. Member had in view could not by any possibility be secured without fresh legislation. He quite agreed that it was desirable, if possible, to give further relief to prisoners awaiting trial, and he had given an earnest of his desire by introducing the Winter Assizes Act, which he had the honour of passing last Session, under which, generally speaking, the period of imprisonment before trial could not exceed four months. He did not say there were not exceptions; but a great deal had been done by that Act to remove the grievance. He wished to be able to do something more, but there were difficulties in the way. It was not practicable to order that there should be another Assize, because there were not enough Judges for the purpose. It would inflict, moreover, a very great hardship on the sheriffs and jurors of the counties. The end in view must be attained by some alteration of the existing machinery, either by extending the principle of the Winter Assizes Act, or some other means. He hoped the hon. Member would not press this clause to a division. The object he had in view had been gained by entering his protest against the unnecessary detention of prisoners. If the hon. Member would during the present or next Session turn his attention to the matter, and show how it could be dealt with practically, he should be glad to give the subject fair consideration to see whether it could be treated effectually.

SIR HENRY JAMES said, that in the 18 months ending the 1st of July, 1876, no fewer than 876 persons were kept in prison for a period longer than three months, and the right hon. Gentleman himself admitted that persons might be kept in prison now without trial for five months. There were three classes of persons affected by the present system—the guilty, the innocent, and the public. With respect to the guilty, everyone would admit that speedy justice was desirable, and at present, on account of long detention before trial, the Judge often inflicted a less punishment than they deserved. As for the innocent, what torture could be greater than that they should be kept in prison without being allowed to prove their innocence? And then with regard to the public, the relief to the ratepayer would be far greater by bringing prisoners to speedy trial, than by treating unconvicted prisoners, as the right hon. Gentleman proposed to do for the future, as if they were innocent. He trusted the hon. Member for Dudley would go to a division, and if the House affirmed the principle that no person ought to be in prison longer than three months without trial, the Government could then easily come to the House and ask for a larger staff of Judges to carry out that principle.

MR. FORSYTH announced his intention to support the clause, because he thought there should be an addition to the judicial staff. Although they had increased the number of Winter Assizes in the country, yet there were places where a man might still be detained awaiting his trial from September to March.

MR. ASSHETON CROSS stated that was not so, for Winter Assizes were now held in every county in England.

MR. FORSYTH was not aware that there was a rule so extensive as that; but the fact still remained that they might have a man committed for trial waiting in prison four or five months, and it was because he considered that an injustice that he should vote for the clause.

MR. SERJEANT SIMON also supported the clause, not because of any want of faith in the promises of the Home Secretary, but owing to the deplorable state of things which, according to the admission of the right hon. Gentleman, existed. A large deputation of commercial men from Yorkshire had lately waited upon the right hon. Gentleman, and asked for three or more Courts for civil trials to

be holden in the year in that county; if that request was to be granted, as it ought to be, the case was much stronger where personal liberty was concerned, and where innocent persons were kept in prison for a long period without being brought to trial.

MR. GORST was in favour of the clause, because he thought that by passing it they would strengthen the hands of the Home Secretary.

MR. RYLANDS said, he was one of those who opposed unnecessary expenditure; but to talk about the saving of expenditure in the face of a great public evil like this was a thing which that House would never entertain. He hoped the right hon. Gentleman would not refuse this clause; and, if he would accept it, he would find no difficulty in giving it effect on the ground that it would entail the cost of an additional Judge.

MR. MILLS said, the question was whether, if they passed the clause, they had the machinery requisite to carry it out. It appeared to him that to pass this clause without first introducing a Bill to enable them to obtain increased facilities in their legal machinery was like putting the cart before the horse.

MR. CHILDERS said, that this was one of the questions which was most fully discussed by the Judicature Commission, of which he believed he was the only Member now in the House of Commons. What was wanted was to have certain centres out of London at which criminal sittings should be nearly as frequent as at the Central Criminal Court; and to which prisoners committed in counties where Assizes could only be held twice or three times a-year might be sent. It was an absurd superstition which required prisoners to be tried in their own county, while within a reasonable distance Criminal Courts might be sitting. Without interfering with the regular course of Assizes, a Criminal Court sitting at intervals of not more than two months in Lancashire and Yorkshire, and being in the Birmingham district; and another in London for the Home and Norfolk Circuits would clear all the gaols of the Kingdom, so that no one need be there untried for more than two months.

MR. FRASER-MACKINTOSH said, that before the House came to a division, he was anxious it should know what the law of Scotland was on the point, and if he did not feel strongly he should not intervene at this late hour. So far back as 1701 the Scottish Parliament passed a law enacting that any prisoner, for any crime, and whether bailable or not, so soon as he was committed for trial, could apply on 24 hours' notice by what was professionally styled "running his letters," and demand from the public prosecutor that within 60 days a diet for trial be fixed. If the prosecutor failed within 60 days to intimate a diet, the prisoner was entitled to instant liberation, under penalties. If a diet for trial were fixed, such date must be made within 40 days of making the intimation to the prisoner, and the trial must be actually completed, not merely begun within these 40 days. Thus in Scotland, although the public prosecutor took his utmost latitude in regard to time, no prisoner could have his trial put off for a longer period than 100 days from the date of his commitment. He was quite surprised lately to see from the Returns laid on the Table, on the Motion of the hon. and learned Member for Oxford (Sir William Harcourt), that the law in England was so different, and that some prisoners had within the last year or two been detained in prison waiting trial for periods extending as far as eight months. He could not conceive, now that the matter had come up so prominently, that Englishmen would any longer permit themselves to be 200 years behind their brethren in Scotland in so important a point as that embodied in this clause.

MR. MITCHELL HENRY said, it was a remarkable fact that the principle of the clause had been approved of by nearly all the lawyers in the House, because they had practical experience of its necessity. He would suggest that if it were passed it should not come into operation until the 1st of October, 1878, so that during the next Session of Parliament time should be given for such changes in the law as were necessary for the working of the clause.

Question put.

The House *divided*:—Ayes 135; Noes 165: Majority 30.—(Div. List, No. 168.)

Further Consideration *deferred* till *Thursday*.

MR. FAWCETT: Will it be the First Order?

MR. ASSHETON CROSS: Yes.

CANAL BOATS BILL—[Bill 162.]

(*Mr. Sclater-Booth, Mr. Secretary Cross, Mr. Salt.*)

COMMITTEE.

Order for Committee read.

Mr. RYLANDS moved that the Bill be referred to a Select Committee.

Mr. PARNELL asked if the Bill extended to all parts of the United Kingdom?

Mr. SCLATER-BOOTH said, that at present the Bill did not extend to Scotland and Ireland, where he had been informed there was no occasion for legislation on the subject. For himself, he should have no objection to its being extended.

Motion *agreed to.*

Order *discharged.*

Bill *committed* to a Select Committee.

And, on June 25, Committee *nominated* as follows:—Mr. Salt, Mr. Corbett, Mr. Spencer Stanhope, Mr. Rylands, Sir John Hay, Mr. Price, Mr. Talbot, Lord Frederick Cavendish, Mr. Onslow, Sir Ughtred Kay-Shuttleworth, Mr. Sampson Lloyd, Mr. Monk, Mr. Ashbury, Mr. Sheil, and Mr. Campbell; Five to be the quorum.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

PENALTY OF DEATH.—RESOLUTION.

Sir EARDLEY WILMOT, in rising to move

"That, while it is not possible at the present time to remove the penalty of death altogether from the Statute Book, it is desirable to consider whether the Laws under which offenders are liable to capital punishment should not undergo revision,"

said, he felt a great responsibility in having undertaken to bring before the House and the country a subject of so much gravity and importance, and the only apology he could offer was the long period of time during which, professionally and otherwise, he had been deeply interested in the question. The time had come when, if it were not possible to remove altogether the punishment of death from the Statute Book, it was necessary at least to re-consider the subject, inasmuch as it was universally allowed that the laws prescribing and regulating that severest of all penalties, were by no means a credit to our system of criminal jurisprudence. It had been investigated at various times by a Royal Commission and Select Committees. Yet Session after Session had passed away and nothing had been done. He wished it was possible to do without capital punishment altogether, and he for one should hail with very great satisfaction the day when it would be found possible to abolish it. When that day arrived, we should have advanced a great step in the path of Christian civilization; but assuming that this was not possible at the present time, he proposed to consider the subject under three heads. He would first show that the law of homicide was anomalous and unsatisfactory; he would then give a few details on the efforts made from time to time to reduce and restrict capital punishments; and, lastly, he would make one or two suggestions of his own as to what ought to be done at the present time. The law of murder rested upon no statute to be found in our Statute Book. The definition of murder was to be found in cases which had come before Lord Coke, Sir Matthew Hale, and Justice Foster. It was part of the unwritten law that had come down from ancient times, and which was to be found in our law-books and the decision of the Judges. It was generally supposed, that old statutes existed on the law of homicide long previously to Magna Charta, but that they had been lost in changes of dynasties, or in the remote darkness of antiquity. The record, meanwhile, of them had been handed down in the dicta and decisions of our Judges. Murder, in the first degree, was the unlawful killing of a human being with malice aforethought, either express or implied. In cases of express malice there was no difficulty; but the law had been carried a great deal further than express malice, and extended to many offences which there was no reason for calling murder. The cases before Lord Coke, Sir Matthew Hale, and Mr. Justice Foster went the length of saying that when parties were committing a felony, if they did an unlawful act which caused the death of a person, even by sheer accident, it was murder, and not misadventure. He was surprised that nothing had been done to

clear up the law in such a matter. Lord Macaulay, in his admirable notes on the Indian Code, said, in eloquent and forcible language, which he (Sir Eardley Wilmot) proceeded to read, that the capital punishment added nothing to the security of human life, and that, as far as that consideration was concerned, culprits for execution might as well be selected by lot. Accordingly, the Indian Code embodied the conclusion he had arrived at—that if a man in the commission of an unlawful act accidentally caused the death of another, he was to receive no other punishment than that he would have received if death had not ensued. And this brought him to the class of cases in which there was no intention of causing death, but in which death unfortunately resulted from unforeseen circumstances; where the injury did not contemplate, nor was likely, in any probability, to occasion the death of the party injured. In most of them there was no intention to occasion more than a slight injury. There were the cases of a man who caused death by throwing a stone, and that of a man who caused the death of a woman by throwing a broomstick at her, she having enraged him by calling him the son of a whore. There was the well-known case of a man who, having received an injury to his finger, refused to have it amputated, and died in consequence; and the man who caused the injury was found guilty of murder. There was the case of the post-boy who, after being robbed, was left on the heath exposed to the cold, and died, and the robber was found guilty of his death. In these cases death was not contemplated, and it did not appear probable that it would ensue. In a case of robbery from the person by two boys, one took a watch, while the other struck the victim in the ribs to make him bend forward and loosen the chain of his watch; he died from the effects of the blow, and the boys were tried for murder at Warwick. A burglar was tried for murder for throwing a pillow at a woman who was in such a state of health that she died from the shock. These cases were cited by Mr. Fitzjames Stephen in his admirable evidence before the Select Committee of 1874. A third class of cases included those in which death resulted from wilful omission or neglect of duty. Under this head came the case of Mr. Blundell, of Ince, a Lancashire magistrate, who was put on his trial for murder, because a road in repair had been left without protection and with a rope across it, and a woman had fallen and broken her neck. This case had been strongly commented upon by Lord Brougham in his speech on Law Reform, delivered in the House of Lords in 1848. [The hon. and learned Member here read the passage from the speech.] A similar case was that of the miner who left an incompetent youth in charge of the engine at the pit-head, with the result of causing the death of a collier who was being drawn up. Lord Campbell in that case said that wilful omission or neglect of duty would make a man liable to be tried for manslaughter or even murder; and Lord Denman, in the case of Regina *v.* Green, quoted the dictum with approval, but said it was exceedingly difficult to draw the line between the major and the minor offence, and that the boundary limit was scarcely perceptible. He should now give some account of the attempts which had been made to deal with the subject of capital punishments generally. In 1808 Sir Samuel Romilly—a name never to be mentioned without respect and admiration—got the law abolished which made shoplifting a capital offence. Even Romilly's efforts at that time would have been unsuccessful against the united opposition of Lord Eldon and Lord Ellenborough, had not the public indignation in Mary Jones's case, who was hung for taking a loaf off a counter in a baker's shop, while she and her babe were starving, swept the penalty of death for shoplifting for ever from the bloody pages of the Statute Book. In that case her husband had been dragged to sea under a press warrant, and on the day of her execution, she went to Tyburn with her baby at her breast, amid the sympathy of assembled thousands, the journey being a triumphal procession to the gallows tree rather than the solemn expiation of a crime. Romilly also made several attempts to procure the abolition of capital punishment for the crime of stealing to the amount of 5*s.* in a dwelling-house; but from 1812 to 1818, in which latter year the melancholy and lamented death of Romilly occurred, Government after Government, and Bishop after Bishop in the House of Lords were found in

the majority by which those efforts were defeated. Sir James Mackintosh then took up the question, and by his great exertions, assisted by Wilberforce, Canning, and Whitbread, succeeeded in procuring the abolition of capital punishment for that crime. Even in 1819, however, Sir James Mackintosh expressly guarded himself against being supposed to aim at the entire abolition of death punishment—he justified its retention in heavy and grave cases. In 1824 the power of recording sentences of death was given to the Judges, which continued till 1861, when the law thus empowering them was, he (Sir Eardley Wilmot) thought, unwisely repealed. The sentence of death was not passed, but recorded in a separate book from that in which the sentence of death was enrolled when there was an intention to carry it out. Now, by a late statute, the Judge was obliged in all cases to pass sentence of death upon the convict, even where it was quite certain execution would not follow; and in those cases, the Judge, after the solemn mockery of a sentence in Court, wrote to the Secretary of State by the next post, to inform him that it was not a case where the extreme sentence of the law could be carried out. In 1832 a most important step was taken by the abolition of capital punishment for forgery. The case of Fauntleroy excited great sympathy, and in Smith's case, where, on the promise held out to him before trial, that the punishment of death should not be inflicted, the prisoner pleaded guilty, the bankers almost to a man petitioned in his favour, saying that the death sentence lessened the security of property, and very much through the efforts of Mr. Brougham he was reprieved. The result was that the punishment of death was no longer attached to forgery. Before the accession of Her Gracious Majesty the improvements which had been effected in our penal code were mainly carried out by the energy and ability of the late Sir Robert Peel, who of all that ever presided over the Home Office had been most distinguished by his successful efforts to improve our criminal jurisprudence. The commencement of Her Majesty's reign was signalized by an act of grace which swept away capital punishment from the Statute Book except in the cases of murder and treason. But from that time to the present there had been very little improvement in our criminal law. In 1847, a Committee of the Lords sat, presided over by Lord Brougham, when all the Judges and all the governors of prisons were examined. The Report was a very valuable one, and the opinion of those who gave evidence was that capital punishment could not safely be done away with. In the meantime a great many efforts had been made, chiefly by a very active and respected Member of the House, the late Mr. Ewart, who, as early as 1840, had brought in a Bill for the abolition of capital punishment. In 1862 public attention was very much directed to the scandal arising from executions being carried out in public, and in that year the hon. Member for Oldham (Mr. Hibbert), to whom he desired to pay a tribute of respect for his exertions, brought in a Bill authorizing executions to be private. In 1864 the Capital Punishment Committee made a most valuable Report. Having had evidence from America and various foreign countries, they reported that they considered the law of homicide very unsatisfactory, and they recommended that murder should be divided into murder of the first and second degree, the first only being liable to capital punishment. In 1866 a Bill, introduced by Lord Cranworth, passed the House of Lords, carrying out to a great extent the recommendations of the Capital Punishment Commission, and substituting private for public executions, which had also been a strong recommendation of the Commission. The Government went out of office before the Bill became law; but in 1867 a measure was introduced by his right hon. Friend the Member for the University of Oxford, now the Secretary for War, who was then Home Secretary. That Bill did not deal with the recommendations of the Capital Punishment Committee as Lord Cranworth's Bill had done, but confined itself to the question of public executions, which since then had been abolished. In 1871 the hon. Baronet the Member for North Wiltshire (Sir George Jenkinson), who he was sorry was prevented by indisposition from being present at the debate, brought in a Bill, in conjunction with the late Mr. Gilpin, to divide the law of murder into two classes—the

Sir Eardley Wilmot

first of which should only be capital; and he (Sir Eardley Wilmot) was glad to record the very able and valuable efforts of Mr. Gilpin, whose efforts, however, were mainly directed to the total abolition of the death penalty. He had constantly raised the question while in Parliament up to the time of his death. In 1873 Lord Aberdare introduced a Bill similar in character to the one brought in by Lord Cranworth; but, as before, the Government went out of office before the measure received the sanction of Parliament. In 1874 the Recorder of the City of London (Mr. Russell Gurney) introduced a measure for the simplification of the law of murder, and it was referred to a Select Committee on which sat able lawyers—the President being the right hon. Member for the University of London (Mr. Lowe), who had been himself Home Secretary. After considerable inquiry and discussion, and after examining Lord Blackburn and Lord Justice Bramwell, and receiving the very valuable opinion of Lord Chief Justice Cockburn, the Committee reported that they did not see their way to adopt the Bill, which they found to be too cumbrous in its machinery. The Bill introduced by the right hon. and learned Recorder had been framed by Mr. Fitzjames Stephen, who was examined at considerable length before the Committee. In 1875 and 1876 there had been Bills on the same subject, and the hon. and learned Member for Salford (Mr. Charley) in the case of infanticide proposed to restrict capital punishment to cases where the mother unlawfully caused the death of her newborn child within a certain period after its birth. The recommendations of the Commissions which had been appointed to consider this subject were in favour of the view adopted in the French law, that the punishment of death should only be inflicted in cases of premeditated murder. He (Sir Eardley Wilmot) had so long trespassed on the patience and kindness of the House, that he had no time left for going at any length into his third proposition—namely, as to what ought to be done. He had himself on two occasions introduced Bills to restrict the death punishment in cases of murder to where the death of the person murdered had been designed, or where the party offending must have known that death would probably ensue, or where death must follow as the probable consequence of the act. He thought that the law might safely be altered in this direction, and the intent, as proved by evidence, might guide the jury in delivering their verdict. But in cases of infanticide, he would strain a point, contrary to the principle he had laid down, and make infanticide no longer capital in the case of the mother, and the mother only; where, within a certain period after her delivery, she, either alone or in concert with others, had even wilfully caused the death of her infant. At the present time, juries could not be got to convict women of child murder, and extricated themselves from the difficulty by the present absurd law, which enabled them to find concealment of birth in trials for infanticide. He could not, however, pursue this branch of the subject—a very wide and comprehensive one—as he found he had been obliged to speak longer than he had wished or intended. He was fully sensible that he had not done justice in any way to this great and important subject, and he had, as a private Member, to apologize for having brought the matter before the House. He had, however, some justification for the course he had adopted in the fact that almost all the improvements in our criminal law had resulted from the efforts of private Members; while Governments rarely ventured to originate or to carry through measures for removing the evils that existed in that branch of the law. In his opinion questions of this sort ought not to be left to be dealt with by the Home Office, but should be handed over to a Minister of Justice, to whom should be entrusted the reform and the improvement of our criminal as well as civil jurisdiction. The hon. Gentleman concluded by moving his Resolution.

Motion made, and Question proposed,

"That while it is not possible at the present time to remove the penalty of death altogether from the Statute Book, it is desirable to consider whether the Laws under which offenders are liable to capital punishment should not undergo revision."—(*Sir Eardley Wilmot.*)

MR. PEASE: The House will agree with the hon. and learned Member (Sir Eardley Wilmot), who has just sat down, that the law on the punishment of death

is a disgrace to this country. But he and I take a very different mode of dealing with the law of murder. He proposes to divide wilful murder into two classes, and to those two classes he would award a different punishment—to one the punishment of the gallows, and to the other imprisonment. I think that we shall not solve the question of the law of murder until we abolish the use of the gallows. I brought in a Bill with the view of ascertaining whether the House or the country was prepared for this change. The crowded state of the Order Book has forced me to withdraw it. The question has frequently been before Parliament. But this Parliament has not had its attention called to the position of the law, or to the many altered circumstances which time reveals, and which point to the desirability of an alteration in the law. But I think that the country and the House are more than ever sensible of the difficulty which arises in carrying out the law, so far as it relates to executions and the punishment of death. I am not here as the spokesman for any society, but I have to acknowledge the great assistance I have received from Mr. Tallack, the Secretary of the Howard Association, who has collected statistics from the Continent of Europe and from America; and who, having visited the principal prisons on the Continent and in America, has amassed a large amount of information on this subject. Local cases occurred which brought my own attention more particularly to this subject, and I came to the conclusion that I should be only discharging a public duty if I again called the attention of the House to capital punishment. In the county of Durham we had, a little time ago, a large tide of mercantile prosperity, which increased the numbers of the population. This rose in the course of 10 years, from 1861 to 1871, at the rate of 40 per cent; and, whilst that prosperity brought into the country many of the industrious classes and the hardworkers, there were many of the residuum, whom we found great difficulty in keeping in order and who created a great deal of disorder. They embraced wanderers from other communities, and they had their influence in poisoning those who were already there. The high wages which to many were a great boon in adding very much to the comforts of their houses, and giving them better clothing, and a reduction in the hours of labour, were to these men nothing but a curse. The use of intoxicating liquor led to crimes of a most violent character, and party passions were set astir, and we had a series of outrages and murders which were followed by executions, which made every thoughtful man consider the working of the present law. Though the strong arm of the law came down with its iron hand upon those men, it was impossible to aver that the constant executions that we had in the county had the slightest effect whatever in putting a stop to the crime and outrages which were committed. In the three years and a-half, from January, 1873, to July, 1876, in this one county, no less than 15 persons were condemned to die; of these 3 were respited, 1 was sent to Broadmoor, and 11 were hung within the precincts of Durham Gaol. With this before me I began to look into the question of murder, and of the punishment inflicted for it. I examined the various records on this question, I looked through the general statistics furnished by the labours of this House, and I got before me the statistics of other countries on this subject, and I beg to lay the result of my investigations before the House; and I think that I shall have some reason for asking the House to prefer my Amendment to the Resolution so ably moved. I have endeavoured to reason out, so far as I was able, the whole of this subject, and, whilst it is a subject in which a great deal of sentiment may exist, I shall not try the sentimental argument. I shall endeavour to lay all that to one side, and if I fail to-night in convincing the House it will be because I fail in reaching the reason of the House. I will adopt the language of Earl Russell, who, in a speech on this subject, said—"I am not prepared to dispute the right of the community to inflict the punishment of death under certain circumstances of society;" but I hope that I shall prove that our community will do well no longer to exercise that right; that capital punishment is no deterrent to murder, and that it does not add to the safety of life; and, Sir, the facts seem to point that it absolutely adds to the danger of human life, as shown by experience where capital punishments

are abolished in civilized States. We shall admit that public executions were done away with, because they were regarded with most just and righteous horror; and I believe that we shall be agreed that we only keep up private executions, under the belief that they add to the public safety. I believe also that we shall all agree that the present administration of the law is attended with many and constantly recurring difficulties. With regard to the criminal himself, it will be admitted that it will be a gain in many ways if society was as safe if he remained unhung. We would avoid the risk that we continually do incur of executing the innocent; and there is another thing that we do—we are constantly burying good evidence in his grave; for in many cases it has turned out that the criminal that is buried has carried with him to the grave evidence that might be essential in prosecuting and putting down the class of crime for which he had suffered. We doom to death those people who are totally unfit to die, and if we relieve fallible man from passing a sentence which cannot be recalled, we shall have done something. I shall argue this question as one of expediency and of progress, and not as one of fixed principle applicable in all times and to all circumstances. To begin with, the history of capital punishment in this country is in itself a strong argument in favour of its abolition. "The right of the community," as Lord Russell terms it, has been less and less exercised, because the community has been as safe, or even safer in consequence. Whatever may be the conclusion this night of this House, no doubt arises that the punishment must pass away from our land, and that at no distant date capital punishment will no longer exist. It belongs to a much earlier day than ours, and it is no longer needed for the civilization of the age in which we live. In the reign of Henry VIII. we are told that no less than 72,000 robbers were hung. Sir Matthew Hale says that 13 men were hung at one Assize for associating with gipsies. Between 1749 and 1771, 109 persons were hung for shoplifting alone, and during this century we hung people for stealing sums of 1*s.*, 5*s.*, 40*s.*, and £5, and for cutting down a sapling; the late Sir Thomas Fowell Buxton stated in the House that the Plantagenets had made the punishment of death applicable to four offences, the Tudors to 27, the Stuarts to 36, and the House of Brunswick to 156. In 1832 the death penalty was no longer the penalty for stealing horses or sheep, or for petty larceny under £5, or for coining and forgery. The executions in 1832 were 1,449, and in the following year were 931. A still further reduction was made in 1837, and it got down to 116 in 1838, and in 1839 it was reduced to 59; and from 1862 to the present time the average of the 16 years is not quite 24. In 1841, a still further reduction was made; and again in 1861 a consolidation law produced still further modifications. Would anyone go back to the old state of things when, with fewer executions, society was much safer than it was with many? It is but 50 years ago since we hung 2,000 people per annum. Those crimes for which capital punishment was once the penalty have not in the main materially increased since that punishment was relaxed, and it is curious to see how many classes of crime went down as soon as capital punishment was abolished. Take, for instance, cattle stealing. For this crime, during the last three years that the gallows was the penalty, there were 113 convictions; while in the three years after the abolition of the capital sentence there were 67; and for the last three years, with double the population, there have been but 65. Of horse-stealing there were 590 cases during the last three years of the capital sentence, and during the three years following the abolition of hanging for the offence there were 566, and for the last three years 376; and so I might go through a long list of crimes. In some cases the Returns may show an increase in proportion to the population; but that may be accounted for by the less barbarous punishment securing a larger number of convictions. Although the Act of 1861 consolidated the statute, and brought down the law to its present state, the community was not at all satisfied, and the horrors of public executions and the scenes at the gallows, around which gathered the most depraved among mankind and the most unwomanly in woman created a further revulsion of public feeling. There were men, however, then—as there are men I dare say now—who, like the late Baron Martin,

say—"But still I am for public executions." In 1864, a Royal Commission sat to inquire into the

> "provisions and operation of the laws now in force in the United Kingdom under and by virtue of which the punishment of death may be inflicted upon persons convicted of certain crimes, and also into the manner in which capital sentences are carried into execution; and to report whether any, and, if any, what alteration is desirable in such laws or any of them or in the manner in which such sentences are carried into execution."

That Commission forebore to enter into the question of the expediency of abolishing capital punishment for the crime of murder. Although they did not all sign their names to the Report in favour of the abolition of capital punishment, five did so, and one-half were practically in favour of such a change. In some things they were agreed. It was proposed to divide the crime of murder into two degrees, and they also recommended that executions should take place inside the gaol, and that is the only suggestion which has been carried out. They solicited Her Majesty's attention to three other most important points as requiring further attention—namely, the propriety of appeal in criminal cases; the mode in which the Crown is advised to exercise the prerogative of mercy; the present law as to the nature and degree of insanity, which is held to relieve the accused from penal responsibility in criminal cases. It is 11 years since the Report of that Commission was issued. Administration has followed Administration, and Home Secretary has succeeded Home Secretary, and yet there is no change whatever except in that particular of private executions. The Home Secretary exercises his functions still with a power greater than the centurion of old; for he says to one man you shall be hanged, to another you shall go to Broadmoor, and to a third he awards penal servitude for life. Those functions remain still unaltered, the law of insanity is still in an uncertain state, and Bills have been brought in to divide the crime of murder into two classes, without success. The power of the Home Secretary is more frequently exercised than ever it was, and the plea of insanity is the resource of every advocate, Judge, and jury, who dislike a sanguinary law. Yet this is not satisfactory to the community, nor can there be a settlement except by doing away with the use of the gallows. The Gordian knot can only be severed by adopting the Report of the minority and cutting the hangman's rope. But during these 11 years, while we have been standing still, other countries have been going steadily forward, and our criminal code is now the most sanguinary among Christian nations in Europe, or on the other side of the Atlantic. The great object of punishment, as I understand it, is not the revenge of society on the criminal; but that the criminally-disposed may be deterred by the fear of consequences. It then remains to see if capital punishment does check the crime for which it is a punishment? Several Judges, I admit, are against my view, but I do not believe that the best Judges are good judges in this. Their education has been in the law, and is founded on precedent, and they are opposed to changes which would unsettle all the knowledge of precedent. I know that Lord Eldon voted in favour of hanging a man for stealing 5*s.*; but among the voluminous evidence given before the Commission I have referred to there is that of Mr. Sherriff Nissen and Serjeant Parry, and Captain Cartwright, of Gloucester, and others, who declare their opinion that capital punishment does not act as a deterrent among the criminal classes; but above this I value the evidence of Mr. Frederick Hill, a convict prison Inspector, who said that so much do criminals believe in the chances of escape, from the unwillingness of witnesses to give evidence and of juries to convict, as well as in their luck, that he believed they would rather the law was kept in its present state. Again, the Rev. J. Jessop, chaplain of Horsemonger Lane Gaol for 10 years, said that criminals did not take the element of detection into account; and so this will appear if we go through the accounts of murders in recent times. Did the fear of the gallows deter Thurtell, or Rush, or Greenacre, or Wainwright, or Treadaway? During the last 16 years we have sentenced in England and Wales 388 criminals. Of these, 210 were hung and 178 reprieved, showing an average of 24·25 murders per year on the average of these 16 years. During the first 13 years of that time there were 22 murders per annum; but during the

last three years we have had an average of 30 per annum. During the 22 murders per year period, we only hung 49 per cent of the convicted murderers! During the 30 murders per annum period we have been hanging 62 per cent of the convicted murderers. I call my right hon. Friend's (the Home Secretary's) attention to these figures. He may say they are taken over too short a period to be of much value; but they are there, take them for what they are worth. Now, let us look at our own experience and see whether the effect of executions is to deter men from the commission of homicidal crimes. In January, 1875, three men were hanged at Liverpool for crimes of violence. At the July Assizes of that year there were six cases of murder from Liverpool and 20 local committals for manslaughter. Wainwright's murder was immediately followed by the Blackburn one, of the same type. In 1876, the executions of the four pirates at Newgate were followed by a series of attacks on captains. In 1867, the hanging of the three Fenians at Manchester was followed by the Clerkenwell explosions; and so I might go forward with numberless examples; but let us take those in my own county, to which I have already alluded. On 13th January, 1873, Slane and Hayes were hung at Durham; on 24th March, 1873, M. A. Cotton was hung at the same place; on 21st April, 1873, one month after, Hagan was murdered, it was said, by Turnbull; 7th July, Gough murdered Partridge; 13th September, Dawson murdered his paramour; 4th October, Thompson murdered his wife—6th January, 1874, these three were hung; 7th November, 1874, Daly murdered Burdey—28th December, 1874, Daly was hung. Then what followed? 15th March, 1875, Pearson murdered Watson; 28th March, 1875, Gilligan murdered Kilcran; 11th April, 1875, Machugh murdered Money; 26th April, 1875, Plummer murdered his sweetheart. And now let us look at the experience of other countries, and to this I would specially call the attention of this House. In France capital punishment is almost abolished. In the 10 years from 1866 to 1875 there were 1,084 convictions—of these 121 were executed, or only 11 per cent. It is to be noticed that the year in which there were most executions was followed by the year 1873, in which the largest number of murders occurred. Homicidal crime is on the decrease. In Italy there have been no executions in Tuscany for 50 years. From the Inspector General of Italian Prisons I have the following information for the years 1873-4:—Naples had 21 homicides per 100,000 population; Sicily had 31; Sardinia had 18; Rome and Umbria had 9; Tuscany had 6. Tuscany with 1-12th of population has 1-20th of crime. In Holland capital punishment was abolished 17th September, 1870. Since 1860 no person has been executed. In 1871 there were 5 murders; in 1872 there were 5; in 1873 there was 1; in 1874 there were 2; 1875 and 1876 are not yet published. In Belgium, the 10 years before 1863, 921 murders, or 92 per year; in the 10 years to 1873, 703 murders, or 70 per year. In the last decade there was no capital punishment. Russia has had no capital punishment, except for high treason and military insubordination, for 100 years. Germany: By the new penal code—capital punishment exists only for high treason and murder of the first degree. Saxony abolished capital punishment in 1868. It was re-enacted under the German new code in 1871; but the Saxon law has been carried out. No executions have taken place. There were 29 convictions for murder in the three years before the abolition of capital punishment, and only 19 in the three years after. In Wurtemburg there have been no executions since 1870. In 1870, 1871, and 1872 there were seven convictions for murder. In 1873, 1874, and 1875 only six convictions. In Portugal there has been no execution since 1846, and no increase in homicidal crime. In Austria, in 1876, there were 124 sentences of death, only three carried out. M. Wahlberg (Imperial Councillor) adds—

"The application of capital punishment in Austria, and even the very trade of the executioner, are in their expiring throes."

In America the following States have abolished capital punishment:—Michigan, Wisconsin, Rhode Island, Illinois, Maine, Iowa. Rhode Island abolished capital punishment in 1852. The Warden of the Rhode Island State prison states the committals—

	Rhode Island. No hanging.	Connecticut. Hanging.
1866	0	1
1867	0	1
1868	3	1
1869	0	9
1870	0	2
1871	0	2
1872	1	2
1873	2	3
1874	0	4
1875	1	3
	7	28

62 per cent (in proportion to population) less murder than in the hanging State.

In Rhode Island capital punishment only exists for the murder of a warder. In Rhode Island there were 23 murders from 1852 to 1876. I. M. Alderson, Secretary of State for Rhode Island, states two brothers planned a murder, and waited till their victim got into Massachusetts (where capital punishment exists), murdered him in Worcester, as they thought conviction would be less certain. In Illinois, capital punishment has only been abolished two years. An attempt was made to restore the gallows, but the Legislature refused. In 1876, Senator Jessup, of Iowa, in a speech to the State Legislature, states—

"Murder in the first degree has not increased since capital punishment was abolished, but it has decreased for four years. Previous to the repeal of the old law there was one murder for every 800,000 people. For the four years since capital punishment was abolished there has been one murder in every 1,200,000. As to lynch law, that is more often exhibited in States which retain the gallows than in those where capital punishment is abolished."

In 1873 Governor Washburne, Wisconsin, in his Message said—

"Twenty years have elapsed since death penalty was abolished. No State can now show greater freedom from homicidal crime. With a population representing almost every nationality, statistics show that crime, instead of increasing with the growth of the State, has actually diminished. Since 1853, when capital punishment was abolished, 71 persons have gone to penitentiary for life. There can be no doubt that the change in the law has made punishment more certain, and I but express the opinion of those who have most carefully considered the question when I state, that but for that change in the law, at least one-half of those convicted would have escaped all punishment —so difficult is conviction when the punishment is death. The law was changed in 1853. The convictions for murder are as follows:—

1854—3	1859—0	1864—0	1869—2
1855—3	1860—2	1865—5	1870—4
1856—3	1861—0	1866—1	1871—3
1857—3	1862—0	1867—4	1872—1
1858—5	1863—8	1868—5"	

The ex-Governor of Detroit Prison, Michigan (Mr. L. R. Brockway), the newly-appointed Governor of the large State Reformatory of New York, at Elmira, N.Y., writes to Mr. Tallack, under date March 6th, 1877, as follows:—

"During my late residence in the State of Michigan, where the death penalty has not been inflicted for more than a quarter of a century, I had occasion to look up the matter to the following extent:—The number of committals to the State Prison annually, for crimes involving killing, is no more now and has not been more in any year since the death penalty was abolished than it was at the beginning, and the population has increased fourfold. I consider this a very strong fact, especially when taken in connection with the circumstances that in the absence of the death penalty convictions and committals to prison for killing are much more easily obtained."

Governor Connor, in an address to the Maine Legislature, January 4, 1877, speaking of the abolition of capital punishment in that State, says—

"I am glad to remark the evident fact that the substitution of imprisonment for life for the death penalty has not been followed by any increase of the crime which it is the object of the law under consideration to punish, or any instance of crime encouraged by the mitigation of the penalty. I am persuaded that the prevailing sentiment among the friends of the new law is not one of tenderness towards the criminal, but of regard for the safety of society. It is certainly not demonstrable that the penalty of death exercises a more deterring influence upon those disposed to crime than the penalty of imprisonment for life. The advocates of the latter form of punishment do not claim that its adoption will cause murder to cease or even to be appreciably checked at once, or within a short period of time. It is their belief that murder will not at least be emboldened by it, and that the authoritative recognition by society of the inviolability of human life, in forbearing to take that of even the man who has disregarded its sanctity, will tend to magnify the offence, increase the detestation of it, and exert an educational and humanizing influence, which, aided by the many influences at work for the improvement of the condition of society, will, in process of time, cause a sensible reduction of crime of every sort."

I think, Sir, I have proved from this abundant testimony that human life is as secure, and even still more secure, in civilized States where capital punishment is not in use. And now, Sir, I must draw the attention of the House to the actual position of our present system. It is obvious that capital punishment fails to be a deterrent, as the chances of escape from its fangs, arising out of its very nature, are so

numerous. I admit that few criminals calculate their chances; but let us look at what these chances are that the criminal has in his favour. The general chances of escape, the feelings of the Judge and jury and counsel, the plea of insanity; and last, but not least, the Home Secretary. In vain we look around for any other crime that has the same chances of escaping the punishment awarded to it. What are the facts? From 1861 to 1872, 281 convicts were sentenced to death. Of these, 142, or just one-half, were hung; 136 were reprieved; 3 committed suicide. In 1875, out of 84 persons committed for murder, only 15 were hung; 34 were acquitted; 33 sentenced; 17 were found to be insane. Out of the 33 sentenced, 18 were hung, 15 were reprieved. No inference can be more plain or more just than that the gallows is no deterrent; but it is obvious, that if under such a system murder does not increase, with such vast chances of escaping the hangman, it follows that a more certain form of punishment would be much more deterrent. Abolish the gallows, and we should shut many doors for escaping; abolish the gallows, and you abolish the reluctance of Judge and jury; you place the plea of insanity on a proper footing; and the mercy of the Crown would be used as such a prerogative ought to be used. It cannot be denied that juries often hesitate to convict in cases where death would be the result of their verdict. Let us look at the authorities on this subject. Lord Cranworth—

"23.—I think that juries often wish to get out of the responsibility of finding a man guilty when he is to suffer death as the result of their verdict.

"98.—I have known one or two instances in which the prisoner was tried for murder—which, to my mind, was clearly made out—but nevertheless he was acquitted, and I believe the acquittal was because the jury did not like to convict in a case where capital punishment was to follow.

"Names a case at Lincoln of a woman indicted for poisoning. Acquitted on first; found guilty on second.

"101.—Recollects case of a man being tried for murder and acquitted. On the same evidence convicted of highway robbery."

Baron Martin says juries will always do their duty. Mr. Beggs says that Baron Martin, at Leeds, addressed a jury as follows:—

"I regret extremely to hear that you have only been driven to a conscientious verdict of guilty of murder by the belief that the sentence would not be carried into execution. I am bound to say that that is a view not proper for a jury to take."

Serjeant Parry—

"It is a common observation in our profession that there is nothing more difficult than to obtain a verdict of guilty from a jury where the charge is murder. It has frequently occurred that the jury have asked—Can we find a verdict of manslaughter? *No*, you cannot. And the prisoner is allowed to go free.

"Says he knows several cases; declines to give names."

The plea of insanity, as now used, is a perfect disgrace in a system of punishment where death is held to be the deterrent for the crime of murder. The question of who is sane and who is insane appears to be decided without the faintest resemblance to a rule. Professor Benedict, of Vienna, has told us that he dissected the brains of 16 criminals, and that these were of a type distinctly lower than the brains of ordinary men. Look at the cases that have recently occurred, and let us see if we can trace the semblance to a uniform law. Take the case of Charles O'Donnell, from *The Daily Telegraph*, 24th November, 1876 — Served full time in Army. Discharged in 1872. Married in 1874. After marriage in an asylum. There was insanity in his family. Conduct not generally sane. He was hung. Then take the case of Marks, from *The Daily Telegraph*, 14th December, 1876—His father was peculiar in his ways. His brother of unsound mind. His schoolmaster said he was peculiar as a boy. His neighbour thought him mad. He read the paper upside down. His employer thought him mad. He had threatened to stab another man. He was known as "Mad Marks." He was hung. Then follows the case of F. Treadaway, who, I find from *The Daily Telegraph*, 9th February, 1877, was found guilty, though the Judge (Lush) called particular attention to his state of mind. The Judge told him that it was impossible, on the evidence brought forward, to believe him to be of unsound mind—the Judge ending by saying—"In that verdict I entirely concur." But what did the Home Secretary say when interrogated by my hon. Friend the Member for Lambeth (Sir James Lawrence)?—

"But I have no objection to state in the present case that the prisoner was tried before one of the most experienced and eminent Judges

upon the Bench. He had a fit in the course of the trial, and evidence was given as to epilepsy in his family and in his own case. Doubts occurred to the learned Judge as to the effect this had had in weakening the prisoner's mind, and he recommended the inquiry which was made for his own satisfaction by two eminent medical gentlemen. He afterwards advised the commutation of the sentence, on the ground that the convict was an epileptic, and might be treated as a person who had been deprived by disease of the capacity he would otherwise have had to resist the criminal impulse. I do not think that any Secretary of State would have been justified in departing from the usual rule by refusing to advise Her Majesty to act in accordance with the recommendation of so experienced and able a Judge."—[3 *Hansard*, ccxxxii. 1361-2.]

Then comes the case of Daniel East, of whom one medical witness, when asked the test question whether the prisoner was in a state of mind "in which he might do what was wrong without knowing that it was wrong," replied that he "thought so, but could not give a decisive answer." Another said that he believed the prisoner to be of "unsound mind;" but, on being asked the same question as the previous witness, replied that "he could not say." Further, as to what he meant, then, by the phrase "being of unsound mind," he discreetly answered that "it was a difficult question;" and upon the Judge inquiring whether, in his opinion, the prisoner "now knew that it was wrong to kill anybody," he said that "he believed he did"—an answer which amounts to an admission that at the present moment, at any rate, the prisoner is legally responsible for his acts. But what do our own medical men say on this doctrine of insanity?—

"At the annual meeting of Medical Officers of Asylums, held at the Royal College of Physicians, London, on July 14, 1864, it was unanimously resolved by those present (upwards of 50 experienced doctors)—'That so much of the legal test of the mental condition of an alleged criminal lunatic as renders him a responsible agent, because he knows the difference between right and wrong, is inconsistent with the fact, well-known to every member of this meeting, that the power of distinguishing between right and wrong exists frequently among those who are undoubtedly insane, and is often associated with dangerous and uncontrollable delusions.'"

Dr. William Guy, of London (for many years medical officer of convict prisons), recorded in *The Statistical Society's Journal*, in June, 1869, his analysis of the Judicial Statistics (official) for 30 years (1836 to 1865). In that period, out of 1,811 persons tried for murder in England and Wales, 263, or 14½ per cent, were found insane. But in the same 30 years, out of 637,301 persons tried for all kinds of crimes, only 864, or about 1 per 1,000, were found insane. I think, Sir, we must all conclude that insanity is a plea to mitigate a penalty from which juries shrink, from which Judges recoil, and which Home Secretaries try to mitigate—and which renders the legal penalty uncertain against the murderer. And now I come to the third door of escape — the Home Secretary. In my Resolution I do not touch the prerogative of the Crown, and by this he acts, and he acts as he does because the penalty is admitted to be one that is no longer required, at any rate in a vast number of cases. In this country we have had Home Secretaries in whom we have placed great confidence, statesmen of whom any country could be proud—my friend, Sir George Grey, the right hon. Gentleman the Member for Cambridge University (Mr. Walpole), the right hon. Gentleman the Secretary of State for War (Mr. G. Hardy), Lord Aberdare, the right hon. Gentleman who now fills that position (Mr. Cross), are all men who have discharged this duty with conscientious care; but this fiat of life and death in a free country should be in no one man's hands. In no other country but our own would such a state of things be permitted. We have to consider the burdens—and they must be considered burdens by every Home Secretary—which we throw upon the Minister who has always endeavoured conscientiously to discharge this painful duty, and we treat them unfairly when we leave them to decide whether a man shall be hanged or imprisoned for life. The prerogative of the Crown, as I understand it, is a power wisely left in the hands of the Sovereign, in order that exceptional cases of hardship may be dealt with, and not for the purpose of mitigating a penalty from one-half of the criminals who come under its operation. I think, Sir, I have proved that in all countries where the death penalty is abolished, human life is as secure, or more secure, than it was before, and that in our country capital punishment is so uncertain in its application that it necessarily fails as a deterrent. I now come to another line of argument. It ought to be abandoned because, in case of mis-

take, it is an irrevocable sentence. I grant that mistakes but seldom occur, but that they have occurred there is abundant evidence. I grant, too, that the extension of time of late years allowed between the sentence and execution has introduced a great element of safety; but that which is human, and therefore liable to error, ought not to do that which in case of error it cannot recall. Sir FitzRoy Kelly stated to the Capital Punishment Commission that between 1802 and 1840, 22 persons had been sentenced to death who were innocent; seven of these executed. In 1854 Charles Natters was sentenced to death, and was afterwards proved innocent. In 1850 Ross was executed at York, protesting his innocence; the Governor and Chaplain both believed him. In 1865 Polizzioni was sentenced to death for the Saffron Hill murder, and only saved by the great exertion of Mr. Negretti, Morgani having appeared; the Judge most emphatically declaring his belief in the verdict. In 1865 Giardinieri was just saved at Swansea by similar efforts. In 1867 Wiggins was hanged in London, protesting his innocence. The coroner's jury, after examining 26 witnesses, had declined to inculpate him. In 1866 Smith narrowly escaped hanging for the Cannon Street murder. He was seen coming out of the house where the murder was committed with blood upon his clothes. In 1873 Hayes and Slane were hanged at Durham, many people believing in Hayes' innocence. The solicitor who defended them, a man of established reputation, believed in his innocence. In 1873 Turnbull was sentenced to death at Durham. His innocence is believed in by many. I have seen all the evidence that has been taken since his trial. It is exceedingly strong. There has been a warrant out for the apprehension of the principal witness against him on a charge of perjury, as it is plain she was not near the spot where the murder was committed at the time, but she cannot be found. In 1874 a man dying in Pennsylvania confessed himself the perpetrator of a murder at Merthyr Tydvil, for which John Lewis was hanged some years ago. Barber was found guilty of forgery, and would under the old law have been hanged; but, after labouring for years as a convict, his innocence was proved. In 1869 Mr. Bruce, speaking of 11 cases of sentence of death, five of which were set aside by him, said—"It is beyond all question that Grant was an innocent man." It is equally certain that Bisgrove was insane. In 1876 Merritt was sentenced at Gloucester to seven years' penal servitude for a crime he did not commit. These cases speak for themselves. But I fear there is a long list of those who perished because they were poor and ignorant, to whose aid no Mr. Negretti came; and those who did escape, let us remember, did so in spite of your law, and through private exertions. I care not whether you say that the sentence I would substitute is more severe or less severe than that of death. If it is more severe, I say it is not too severe for such a crime. Our object is to deter. If it is less severe than that of death, I say, without fear of contradiction, that it would be much more deterrent, because much more certain. Do away with the death penalty, you would have juries more ready to convict. The insanity law would be reduced to some rule by which the insane went to the asylum and the criminal to the prison, and the Home Secretary of State would not have to contrive how a sanguinary law could be evaded. Now, we are told that there would be great difficulties with these life convicts. I do not admit this. I grant that special prisons would have to be provided for them, but their numbers are small—24 a-year. Our convict prisons, we are all thankful to say, are by no means full. We are told they would assault their warders, and endanger their lives, but let us see what other countries say. In Holland, we are told by M. Ploos van Amstel, that—

"By the law of 17th September, 1870, imprisonment for life was substituted in the Netherlands for capital punishment. The Secretary of the Commission for the Prison at Leeuwarden, where those convicted of murder are retained, informs me that they are in good health of body and mind, and he has not observed that there is on their part any tendency to assault the officers of the prison.

"In Belgium in particular the substitution of life-imprisonment for capital punishment is efficiently in operation; and at the present time there are in Ghent Prison men who have been confined without intermission for upwards of twenty-five, and even more than thirty years, in full possession of their bodily and mental faculties, and rendered useful by their industry and services, instead of having been hurried into eternity with their crimes fresh upon them."

M. Berden, Belgian Minister of Prisons

and of Public Security, writes to Mr. Tallack, March, 1877, that there are now in Belgian prisons 124 men and 9 women undergoing life-sentences. Of these—

1	prisoner	has been	in prison	33	years
3	,,	,,	,,	31	,,
1	,,	,,	,,	30	,,
2	,,	,,	,,	20	,,
1	,,	,,	,,	28	,,
7	,,	,,	,,	25 to 27	years
11	,,	,,	,,	20 ,, 24	,,
28	,,	,,	,,	15 ,, 19	,,

Of these, about 105 are reported as in good health, 15 infirm, and 20 tolerable. The Ex-Governor of Detroit Prison writes—

"As to the other point of your inquiry, I do not believe there is a greater liability to assaults upon keepers from life convicts than from others. That is to say, the convict who has a predisposition to assaults would indulge his *penchant* as readily when serving a time sentence as when sentenced for life. There is, of course, a tendency to melancholia among prisoners sentenced for long terms, and one of the manifestations of convict melancholia is irritability. But I doubt if there is any practical difference in the effect of a ten or twenty years' sentence, or a sentence for life, upon the same person in producing the unfavourable frame of mind. As to the question of safety of officers from assaults, I should give the preference to a congregate workshop of life convicts over one of sneak-thieves and loafers from the great cities."

In Rhode Island the law gives power to execute for a second murder (of a warden); 23 years have passed, and no case has occurred. But we have ample evidence in our own gaols that the long-sentenced men are not the worst behaved. The murderer, as a rule, hardly belongs to what is termed the criminal class. Some of those who were hung at Durham were but 19 to 24 years of age. Cavoissier was a valet; Palmer, a doctor; Rush, a farmer; Wainwright, a tradesman. Now, Sir, I do not propose to go at much length into what is called the Bible argument. I am one of those who believe that the Mosaic law of an eye for an eye and a tooth for a tooth has been fulfilled by the bringing in of a better hope—a Gospel of glad tidings, which lays not down its precepts in detail, but hands us most broad and benign commands for the treatment of man by his fellow-man. I believe we do well to take Scripture as our guide in the broadness of its spirit rather than in any man's narrow interpretation of the letter. It is enough for me that the whole tenour of the doctrine taught by Him who came on earth from Heaven is inimical to the spirit in which man can be killed by his fellow-man under any circumstances. Sir, the great majority of those here are believers in the doctrine of a state of future rewards and punishments. By this law the murderer is often launched unprepared to meet a just God. He goes almost with the blood of his victim red on his hand, and the spirit in which that blood was shed in his heart. Let us not judge the Infinite, nor count His mercy short on which we shall all one day have to rely. I believe that mercy is ofttimes extended to the hastily repentant sinner; but is it not almost a mockery to say, as Mr. Justice Lush did the other day—

"You will have the assistance of a zealous and kind religious minister during the short period you will remain in this world. I entreat you to listen to his exhortations, and endeavour to prepare for the fate that awaits you?"

And then finite, fallible man, himself a sinner, sentences his fellow-man—a greater sinner it may be—into eternity: telling him, in fact, that he is no longer fit to dwell with his fellow-man on earth, but through a mercy above all earthly mercy, in three weeks he may be fitted to dwell with a just and righteous God for ever. Before I sit down I have only one duty more to perform. I must call the attention of the House to those horrid scenes which were enated at Durham in 1865, and again recently at Leeds, in the case of the rope breaking; and to the horrors of the late execution at Chester. These may be casualties, but a punishment that involves such horrid risks cannot surely be one long retained by one of the most civilized countries in the world. I thank the House, Sir, for having listened to me for a much longer period than I generally trespass upon its attention. If I have failed to-night in inducing it to vote that capital punishments ought no longer to exist in the England of the nineteenth century, I am persuaded still that the arguments which I have used will be taken into consideration, and, feeble as my attempt has been, I shall rest satisfied for the present in having added another to the efforts that have already been made to purge laws from our Statute Book which are doomed at no distant day to perish before the tide of an ever-advancing civilization,

and because they are at variance with the sublime spirit of Christianity.

SIR HENRY JACKSON, in seconding the Amendment, said, he was justified with assuming from the remarks of the hon. Baronet the Member for South Warwickshire that he was well content to have the whole question considered, and desired the law to be put into such a shape as would relieve it from the criticism to which it was at present exposed. He should shrink from putting on the Statute Book anything like a definition of murder. He understood what murder meant, and what manslaughter meant; but he did not understand what murder in the first degree or in the second degree could mean. Neither did he understand why a difference should be made between the murder of an adult and that of an infant. Whatever punishment the law awarded for this awful crime, they should not shrink from meeting the question on its merits. That there should be some proper statutory dealing with the question of implied malice was a different matter; and he hoped some Government would bring in a measure of that kind which would receive the sanction of Parliament. But, after all, the most important question for the consideration of the House was whether capital punishment could be safely abolished in this country. Viewed as a kind or class of punishment, it was so terrible and dangerous that nothing but an absolute necessity for maintaining it could justfy its retention for a day. Did that necessity really exist, and what would be the effect on society of the abolition of this punishment? He thought this subject might now be debated in a very different spirit to that which prevailed some years ago, and that many men who then advocated the punishment being retained would now shrink from taking that step. The matter had passed from the domain of sentiment into that of simple reason; and this was matter for congratulation. Almost all men were now agreed that, as an abstract question, society had a right to protect itself even by the extreme penalty if the necessity existed. What was the supposed effect of the death penalty? How did it operate? It operated by its terror, it was said. How far was this sufficient? Obviously not to prevent murder, for the catalogues showed that too many murders were perpetrated. But was there a class of persons who would commit murder if this penalty was removed? That murders were committed notwithstanding the death penalty was admitted; but was it established that if that penalty were removed more murders would be committed? Much as he shrunk from this death penalty, if it were satisfactorily shown that this class of criminals would be decreased by it he should vote differently to the way which he intended that night. By whom were murders committed? By persons who had a purpose of putting aside some other crime, or hiding the unfortunate position in which they were placed. The governing idea in the mind of every murderer was clearly this—not the quantum of punishment, but whether he should be detected. He did not think about being discovered, but, if discovered, whether he would be hanged. Before the punishment of death was practically confined to the crime of murder, it was allotted to an innumerable number of crimes, but still those crimes were committed, and the Legislature and the Judges were then convinced that society would break up unless the punishment were inflicted. Until it was impressed upon our minds that punishment ought to aim not at severity, but certainty, we should be legislating in a wrong direction. There was a class of persons who committed murder out of spite or revenge; but, notwithstanding the existence of such a class, he was prepared to vote for the Amendment of his hon. Friend. The longer one reflected on the irrevocability of the punishment of death, the more pressing did it become that such a terrible risk of making a mistake should, if possible, be avoided. That mistakes had been made, even in our own generation, was, he was afraid, only too true; and if we could safely avoid such a risk as that we ought to do so as soon as possible. To his mind we did not sufficiently appreciate the intense sanctity of human life, nor did we sufficiently value that lesson of mercy and humanity which would be conveyed to the miserable beings who committed these crimes, if the Legislature were to lay down as a fundamental principle that the life of man was so holy and solemn a thing that not even the majesty of the law, vindicating its power and the power of society, dared to take it away. There was something incon-

ceivably great in the idea intended to be conveyed to the public mind by a public execution, and the solemn expiation in the face of the world for an awful crime. But public executions, instead of having a good effect, became an additional evil attendant on the punishment of death. In place of them we had now substituted private executions, which caused him a thrill of horror that he could hardly express. If they were carried out in the stillness of the prisons not so much harm would be done; but the public conscience was shocked by the reports in the newspapers of what took place, more than it was by the accounts of the executions at Tyburn and the Old Bailey. If capital punishment was good at all, it must be good that all men should see that fearful punishment as a solemn public act, rather than read about it in the harrowing reports dressed up in the newspapers for the public. He conscientiously believed that the recognition of human life as a thing too sacred to be sacrificed even by the law, would effect a gradual diminution in the number of murders committed, and a much healthier tone of public feeling.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is expedient to abolish the penalty of death and to substitute for that penalty, in the case of murder, penal servitude for life; in the case of high treason, at the discretion of the court, penal servitude for life, or for any term not less than seven years,"—(*Mr. Pease,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE ATTORNEY GENERAL said, he did not rise thus early with the slightest intention of putting an end to that interesting discussion, but because he wished to submit his own views to the consideration and criticism of the House. After waiting many a weary day he had at length a Colleague in the House. His hon. and learned Friend proposed also to say something upon the question, as also did the Under Secretary of State for the Home Department. They had travelled into a wide and extensive discussion; he thought they were met to consider whether capital punishment should be abolished to some extent or abolished altogether. They had, however, become involved in a discussion of murder generally, insanity, and the exercise of the prorogative of mercy, to discuss all of which fully would take a very considerable time. His hon. and learned Friend, who had introduced the question in a very able speech, dealt particularly with the question of murder, and whether our law of murder, as at present laid down, was a good and wholesome law or not. He went with his hon. and learned Friend in much that he had said; but he could not acquiesce in his statement as to what was the existing law of murder. If there was no intention on the part of the offender to do injury it would not be murder, unless the person committing the offence were engaged in a felonious act. He was not prepared to say that our present law of murder was altogether on a satisfactory footing. He considered the defect which had been pointed out by his hon. and learned Friend a very serious one—namely, that if a man engaged in the commission of a felony took away life without intending to do so he was guilty of murder. Whatever opinion others might entertain on that question his opinion was that that should not be murder. A man should be tried only for the offence he intended to commit. His view was that nothing should be considered as murder unless a man took away life, intending to do so, or unless he committed acts utterly regardless of whether he took away life or not. His hon. and learned Friend had referred to the subject of wilful neglect. He supposed no one would say that the case of a person who wilfully kept away nourishment from another with the intention of causing death should not be considered murder. Take, again, the case of the Clerkenwell outrage. He supposed no one would contend that the man who placed a barrel of gunpowder against a prison wall, and who fired it off, not caring whether he took away life or not, should not be guilty of murder. He thought it would be better that the offence of murder should be more strictly defined, and also that it should be confined to the cases he had mentioned. The subject had been brought under the attention of the House time after time by various Bills, which he did not think anyone would find fault with the Government for opposing, or with the House

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for not accepting. The subject was a most difficult one to deal with, and it would be best dealt with by a code of criminal law and criminal procedure, which he hoped would soon be introduced into the House. He confessed it would be a great boon if they could introduce a code of the whole law; but it would be well to commence with the criminal law, as it was most needed. In such a code they would deal with murder, and he hoped upon a satisfactory footing, and they would deal with the question which had been referred to by the hon. Member for South Durham (Mr. Pease)—insanity. That hon. Gentleman had dealt with the state of the law upon the subject with great severity; but he did not think the law was under any of the imputations which he had cast upon it. The law upon that subject seemed to him to be perfectly reasonable. The question which juries were directed to decide was whether, at the time the person committed the offence with which he was charged, he was aware of the nature of that offence—that it was a crime against the laws of his country. He would now come to the main question—namely, the desirability of removing capital punishment to some extent, or abolishing it altogether. This, he admitted, was a very important and difficult question; and though, perhaps, the prevalence of opinion on the benches behind him might be in favour of the retention of the punishment, some hon. Members opposite also took a very different view from that of the hon. Member for South Durham. They were all aware, however, that the right hon. Member for Birmingham (Mr. John Bright) had frequently expressed, in the most eloquent terms, a very strong opinion in favour of the abolition of capital punishment, and no doubt would do so again. But he could not but recollect that a man who was as advanced a Liberal as the right hon. Gentleman himself—he meant the late Mr. Mill—had expressed a contrary opinion, and advocated it in one of his most effective works. The fact was it was a subject on which arguments more or less ingenious could be adduced on one side and the other; but there were, to his mind, two arguments which stood prominently out from among all the rest, and which ought to decide the matter in favour of the retention of capital punishment. He would endeavour shortly to lay those arguments before the House; but he wished first to direct attention to some of the arguments which had been used in favour of the abolition of capital punishment by the hon. Member for South Durham. His hon. Friend relied mainly on two arguments. He said, in the first place—"You must look at this matter from a religious and Scriptural point of view."

MR. PEASE said, he laid very little weight on the Scriptural point of view.

THE ATTORNEY GENERAL understood his hon. Friend to say that society had no right to take away the life it could not bestow.

MR. PEASE said, the hon. and learned Gentleman quite misunderstood him. He quoted Lord Russell to the effect that society had a right, under certain circumstances, to take away life.

THE ATTORNEY GENERAL said, he had endeavoured to follow his hon. Friend, but it appeared had not quite understood him. His hon. Friend seemed to say that it was very wrong to hurry a criminal with all his sins upon his head, unprepared, into a future state. It was, no doubt, an appalling thing to hurry a man into a future state without adequate opportunity of repentance. But it must be remembered that the murderer had, at least, some time for repentance, while he had given none to his victim. Was the effect of the death punishment deterrent? Because the whole question turned upon that. We were, unfortunately, obliged to hurry some into a future state with little preparation; but we thereby prevented innocent men being sent into that future state with less preparation. But it had been urged that some time back almost every crime was punished with death, and that now the only crimes so punished were those of treason and murder. It was also said that now, although minor crimes were not punished with death, they were not on the increase; and therefore it was argued that if the punishment of death for treason and murder were taken away, treason and murder would not increase. He admitted the plausibility of that argument. But it was necessary to consider why, in former days, when minor crimes were punished with death, the punishment was not effectual. The reason why that punishment was not sufficient to deter

from crime was that the punishment was out of proportion to the magnitude of the crime, and the punishment was so monstrous that it almost led to the certainty of escape. When shop-lifting and sheep-stealing were punished with death, there was a sort of conspiracy between Judges and juries not to convict but to evade the law. And more than this—persons who had suffered great pecuniary loss would not become prosecutors, consenting rather to suffer the pecuniary loss than send to the gallows a man who was a mere thief. What was the result? It was that the reluctance on the part of juries to convict a criminal led to his escape from punishment. It was most uncertain whether there would be a prosecutor, and if there was one whether there would be a conviction, and that robbed the punishment of death of a great portion of its terrors. If it could be argued that the authorities would not prosecute a murderer because they were anxious that he should escape, and that the Judges and juries were reluctant to inflict the punishment of death, the argument of the hon. Gentleman opposite would be cogent. But that was not so. When Judges and juries embarked in trials for murder they conducted the case with the greatest deliberation, and under an adequate sense of responsibility, but that they refused to discharge their duties he utterly denied, and anyone who affirmed that proposition affirmed a proposition which was perfectly untenable. It had been said that murders were generally the result of an outcome of passion which animated human nature. To a certain extent that was true—such as murders arising from the passions of jealousy, love, revenge, and ambition, and these passions were so violent and overpowering that the punishment could not deter from the commission of crime. But that argument must not be applied universally, for many persons committed murder from venial motives and from motives of gain; and the question we had to deal with was, not who committed murders, or what murders were committed, which had little to do with the argument, but what murders would be committed supposing capital punishment were abolished. The question was—how many murders would be committed if capital punishment were abolished? It appeared to him to be important to consider what were the acts of the persons he would call the criminal community? There were a number of men who committed crimes of the most serious description—were they deterred by some fear, or feeling, or instinct from adding murder to their misdeeds? Take the case of a garotter, a burglar, or a man who committed rape, who were punished by the most severe punishments known to our law short of the penalty of death. The garotter seized his victim by the neck; but, in doing so, he saw that the latter got a sufficient sight of his face to enable him to identify him. Had not that man a strong temptation to dispose of the evidence of his victim by putting him to death? In the same way, had not the burglar, or the perpetrator of a rape, a strong temptation to get rid of the evidence which would lead to a conviction? As a rule, this extreme criminal class did not commit murder. And why? Was it because they were inspired by a sense of humanity, or justice, or compassion? Did the House believe anything of that sort? Were they deterred by the dread of penal servitude? That was the punishment inflicted on the crimes they now committed, and they were only deterred from adding murder to their misdeeds by a fear of the punishment of the death. These classes did not commit crimes because they were over-mastered by their passions. They went into them in a cool, business-like way—crime was the business of their lives—and they simply stopped short of murder because there was the gallows staring them in the face. He advocated the retention of the death punishment, because he thought it the most deterrent punishment of crime that could be devised short of inflicting deliberate torture and cruelty, which no society was justified in doing. The law applied that punishment only to two crimes—namely, murder and treason; both of which, especially when treason involved murder, were of such heinousness that society could not tolerate their commission. Therefore he contended it was absolutely essential that, in some way or other, an effectual effort should be made to check those crimes; and, for that purpose, society had a right to employ the most severe punishment. Then the question was, whether the punishment

The Attorney General

of death was the most deterrent. That was a matter of opinion. One man might think it was, and another might contend for the reverse; but arguments of that kind were of no practical value, because how was it possible to know how many murders were prevented by the fear of that punishment? He had endeavoured to show that the criminal classes were deterred from murder by the fear of death, because there was nothing else to deter them. Besides, did we not all feel that the punishment of death was the most dreadful that could be conceived? It might be said that that punishment was not the most severe—that the sufferings of criminals were not the greatest. Well, that might be so; but the important consideration was, not what the criminal suffered really and truly, but what people who were made acquainted with his doom thought he suffered. And when people heard that a man was condemned to death, they thought he suffered a good deal. Many people, no doubt, would like to sink at once into oblivion; but unfortunately—he did not mean unfortunately, but, as a matter of fact—death to them did not mean oblivion. There was something uncertain and incomprehensible beyond, which rose before their minds when they heard of a man standing upon the drop. Surely, as Shakespeare said—

> "The weariest and most loathed worldly life
> That age, ache, penury, and imprisonment
> Can lay on nature, is a Paradise
> To what we fear of death."

That death was the most deterrent punishment that could be conceived he had made out with a good deal of certainty; but there was another ground on which he opposed the abolition of capital punishment—namely, that it would involve a change in the whole scale of criminal punishments which would be most undesirable. Everyone would admit that the punishment for murder ought to be severer than those imposed for other crimes. Now, if the punishment of death was abolished, they must either retain the existing scale, or modify it. If it were retained, and there were no severer punishment for murder than for robbery with violence, what inducement was held out to the criminal not to add murder to robbery? If penal servitude for life were to be the highest penalty for murder, it could not be retained for offences which, however serious, were of a lesser character. If, on the other hand, the whole scale of punishment was to be altered from end to end, they would be asked to embark on a policy of universal mitigation of punishment for which no ground whatever had been shown, and for which hon. Gentlemen opposite were not prepared, and which the country would never sanction.

MR. JOHN BRIGHT: Sir, it is some years since this question was discussed in this House. I am very glad to find it true what I hoped to be true—that, notwithstanding that the House has not discussed it for some years, it has not lost its interest here, as I believe it has by no means lost its interest in the country. Every speaker to-night has treated the question as one of great importance and solemnity. I feel myself indebted to the hon. and learned Member for South Warwickshire (Sir Eardley Wilmot) for the share of the discussion which has fallen to his lot; and I think that if the House were to decide now, or the country were to decide, that capital punishment should still be retained, the House might and ought and would, unanimously agree with the Resolution of the hon. and learned Member; for scarcely anything can be more disgraceful, and there is nothing in the whole of our law more discreditable to us, than the state of the law with regard to the crime of murder. That was the unanimous judgment of the 12 Members of the Commission that sat 11 years ago, and that must have been the judgment since of every Member of this House who has held the office of Home Secretary, and I should be speaking contemptuously of any Home Secretary if I attributed any other opinion to him. But to-night the question before us is rather that which has been suggested to us by the hon. Member for South Durham (Mr. Pease), because I am quite satisfied that the more we see the difficulty of dealing with the crime of murder so long as it is a capital offence, the more we shall be driven seriously to consider the Motion he has submitted. I am very glad that the matter has come before us in a manner very different from that of past years. The hon. and learned Attorney General spoke of the Scriptural argument. We have heard that argument used in this House in past years as

though it were conclusive of the question; but now it may be said to have gone altogether; and I believe most of those who support capital punishment would not attempt to support it on that ground; as I think that many or most of those who think capital punishment might be abolished, would not probably assert that under no possible circumstances can the country be justified in taking the life of any one of its citizens. But there are other arguments which have also fallen out of use. The argument of vengeance has to a very great extent, although I think it was not entirely abandoned on the opposite side of the House; but it is time for us to abandon it, and to discuss this question on the multitude of facts offered to us, not only in this country, but in every civilized country in the world. There is another argument which has been touched upon by the hon. and learned Member for Coventry (Sir Henry Jackson), and that is the difference between public and private executions. It is obvious that one strong argument in favour of capital punishment is removed by that change; because it was always held that the object of these executions was to strike terror into the multitude, amongst whom were no doubt a large number of the class of those from whom our criminals come. But Parliament had thought right, and the public had decided before Parliament had decided, that public executions were an enormous evil—that they tended, by the ferocious disposition which they generated among the people, rather to increase the number than to diminish the frequency of murders. But if we have got rid of the Bible argument and of the terror argument, what then are we driven to? We are driven to a careful consideration of the facts and figures offered to us in this country and in the experience of other countries. I met, only a fortnight ago, a friend of mine, not so old as I am, who told me that he was at school in a county town 40 or 50 miles from London, and that while at school he was taken along with the other boys on every occasion to witness the executions at the county gaol. The boys saw this terrible scene enacted, and they went home, as he said he went home, in a state of terror and anxiety, which entirely for that day destroyed his health and his appetite. And the master of the school then assembled the boys and told them that that dreadful thing they had seen was what boys came to who were ever guilty of pilfering and telling lies, and he left them with the impression, that if they were very careful they might possibly escape the gallows, but that the gallows was not an unlikely conclusion for any of them to come to. In our own time such things have happened, and we now wonder at it, and I think we should be unanimously disposed to condemn it. I am afraid to ask the Attorney General, because he might give me an answer that I should regret; but I would ask hon. Gentlemen whether, if it could be shown that there would be no increase whatsoever in the number of murders in this country if capital punishment were abolished, that life and property would be just as safe as they are now, is it possible any Member of the House would object to the abolition of that punishment? I am afraid the Attorney General would, because he has said that if ever it came to a state of things when juries did not like to convict, and Judges did not like to sentence, and so forth, it might be a reasonable thing to get rid of capital punishment; but even then, it would be a matter which he would apparently deeply regret, and if he could keep public opinion up to that condition of severity—I would almost say of brutality—which he defended, he would keep capital punishment as long as possible. We have heard what was done in past years. A hundred years ago nearly 200 offences are said to have been punishable with death. I recollect reading a letter written in the year 1776 by Charles Wesley to Mr. Fletcher, of Madeley, in which he says—

> "A fortnight ago I preached the condemned sermon to above 20 criminals. Every one of them, I have good grounds to believe, died penitent. Twenty more must suffer next week."

Now, that is a picture of 100 years ago. At a latter period than that, in the year 1785, not less than 97 persons were hanged in London in one year, although the population of London at that time was scarcely more than one-fourth of the population now. And I recollect also reading in the life of John Howard, the prison philanthropist, a statement in which he showed that the hangings in London, in proportion to the population, were 10 times as great as the hangings in Amsterdam, and yet that life

and property at that time were as safe in the city of Amsterdam as they were in the City of London. Well, these are facts which show what a state of things existed only just before our own time. We have heard to-night about the shoplifting, and the Attorney General said public opinion was against the punishment of death for that offence, and therefore the law was altered; but even at that time to which he referred, he would find his own Profession were all in favour of the law. Lord Ellenborough, speaking in the House of Lords on behalf of the Judges, said they were unanimously agreed that the expediency of justice and public security required that there should not be a remission of capital punishment in this part of the criminal law, and he added—

"My Lords, if we suffer this Bill to pass, we shall not know where we stand; we shall not know whether we are upon our heads, or our feet."

That was the opinion of one of the great Judges of the land at that time, and he says it was the unanimous opinion of all the Judges. When that question was brought before the House of Lords, the Bill was rejected by a majority of 31 to 11, and strange to say that seven Bishops and Archbishops voted against the Bill. I think after these facts, one may say that Voltaire was not very wrong when he uttered that cutting sarcasm, and declared that the English were the only people that murdered by law. Now, what has been the result of the changes made since then? I will not go over the details that have been submitted to the House by my hon. Friend the Member for South Durham, but they have been of the most satisfactory character. There is no man now who can plead for a moment that property and life have been rendered less secure by any changes that have taken place. And bear in mind, those changes were not made because you had stamped out the crimes. The crimes went on. The public revolted at the barbarity of the law, and finally you were obliged by force of public opinion, which would no longer lend itself to the horrible policy of Parliament, to mitigate the law, and to abolish capital punishment for nearly 200 offences. Horse stealing, sheep stealing, forgery—none of these crimes, which formerly brought scores of men to the gallows every year, were diminished by these punishments, and only since—I do not say because of—but only since the abolition of some portion of the barbarity of our law have we found a general diminution of nearly all those crimes to which the punishment of death formerly applied. It is a great mistake to suppose that the greater crime will be deterred by a punishment which was found to be wholly ineffectual for deterring from the smaller crime. The Attorney General has given us what he thought a very strong argument. For instance, he says, what murders would be committed if hanging were abolished? The burglar or the garotter would be tempted to kill his victim; but the answer to that is, that in all countries where capital punishment has been abolished, there is not one atom of proof that any such thing has occurred. That will be found to be true of Belgium, of Portugal, of Tuscany, of Russia, and of half-a-dozen or more of the States of the United States. If you ask all those most conversant with the criminal law of these countries and its administration, they will tell you that not one single case is borne upon their books, or their records, to show that there is any danger of that upon which the Attorney General founds the main portion of the argument he has submitted to the House. Then, he says, we do not know how terrible is the punishment of death; but we have an idea what the person about to be subjected to it feels when he goes to the drop. When passing those dread hours between his conviction and punishment, he may feel a great deal, and if then he were asked whether he would commit that crime, certainly he would not do it. But the crime was committed six months before, when he had not the drop before him and all the ceremonies of his trial. The punishment was so far off that he could not see it, and he had, as he thought, a score of means to escape. The fact is, I believe, we greatly over-measure the deterrent influence of all punishment and not less of capital punishment. I have not the smallest doubt myself—I think it is proved beyond all kind of contest from the statistical accounts we have from various countries—that there is no increase whatsoever of murder or of any crime for which the punishment of death has been inflicted when that punishment has been entirely

abandoned. My hon. Friend the Member for South Durham has mentioned some of those countries; it is too late now to go into details, but I have before me a great many instances—I suppose altogether there must be from a dozen to 20 countries and States in which capital punishment has been abolished—and the evidence from these countries, with scarcely any exception, is concurrent and conclusive upon this—that life and property are as secure after the abolition of that punishment as they were at any time when the punishment was most severely inflicted. We think we are before some countries in many things. I have heard men saying even on the other side of the House—"Why don't foreigners, seeing how wise we have been on the question of Free Trade, find free trade as good for them as we find it to be for us?" Let us ask the question now on another subject. If we find a dozen respectable States in the Christian world have abolished capital punishment, not only without disadvantage, but with absolute advantage in the diminution of crime, why should not we learn from them? If you can insure the security of life equally well, surely it is some advantage that the State should offer an example to the people of its strong feeling that human life is sacred, and that under almost no conceivable condition can it be lawfully or innocently taken away by force. Therefore, if we find this concurrent opinion amongst various Christian nations of the world, we might take a lesson from them, and see if it would not be practicable in this country. I do not know that we are more savage or more barbarous than any other country; but our law in this respect has always been more barbarous and more cruel than that of any other Christian State of which I have been able to inform myself. ["No, no!"] I know that when William Penn founded the Colony of Pennsylvania, he struck off almost every crime of the many scores that the English law punished with death, and left—and this only from the force of opinion, rather than from his own conviction—the punishment of death only for the crime of deliberate murder. I mention this to show how ferocious our punishments were at that day. William Penn abolished those punishments in his new Colony, but the English people have kept them on the Statute Book almost until our own time. I am not discussing the right or the wrong of the matter, but only pointing out how savage and cruel has been our law. No one can doubt that for a moment. If hon. Members doubt what I state, I shall be glad to hand them the papers in my hand and the statistics from other countries, which are to be just as much relied upon as the Returns published by our own Home Secretaries. It is settled beyond contest that human life is as safe in countries where the punishment of death has been abolished as in others where it is inflicted, and sometimes safer than it has been in countries when capital punishment has been inflicted. There is one point I should have been anxious to have dwelt upon if the Home Secretary were present, and that is the extreme irregularity, and I will say injustice—not intended, but real injustice—with which this punishment is inflicted. The injustice and cruelty of the law must be manifest to all who follow the cases as they occur in the newspapers. The crime which we call murder is a crime as different in itself as the worst manslaughter from petty larceny. The juries differ very much in the course they take. Judges are very different. Some have been called "hanging Judges," and some have not had that unenviable distinction. I am not speaking of any Judge now on the Bench; but that is a phrase which has been used ever since most of us can recollect. We know also that Home Secretaries change every three or four years, and that they are men of very different tempers and qualities, and that some of them are much more accessible to considerations of mercy than others. A year ago, or a little more, I heard of a case in Glasgow which astonished and shocked. The case was that of a young man named Doherty, who was hung at Glasgow on the 5th of October, 1875. He was, up to the time of his offence, a young man of an excellent and irreproachable character, for which fact there was the authority of a large number of persons—such as ministers of religion, employers of labour, and others whose testimony would be received without doubt. A memorial on his behalf, signed by many thousand persons, was sent to the Home Office in vain. He had been out of the town at Rutherglen Bridge on May Day with a num-

ber of young friends. They had been spending a merry day, and, unhappily, some of them had been taking rather more drink than was judicious. These persons shouted and sang and amused themselves in the road, when two young men came out and chaffed and rebuked them, and said things that were unpleasant. Doherty, made angry by this, pursued one of the young men, whose name was Miller, and on his way, it seems by one account, that he met a woman with a hoe in her hand. In another account, it was stated that the hoe was leaning against a door. As he passed he seized the hoe, swung it round his head, and inflicted a serious wound upon Miller, from which he died. Now, that was a case where the parties did not know each other; and the moment before it happened it had not entered into Doherty's head, so that it, in one sense, was purely accidental. Doherty was tried before Lord Neaves, convicted, and sentenced to death. Now at the same Assizes another man was tried, a man of the name of Tierney, and I should like to read a few facts from a newspaper regarding his case. It states there that Tierney was a miner, and the evidence shows that not only was the most careful premeditation used, but that the deed was one of unusual atrocity. He had killed his victim with his pick while working in the pit, and had then covered his body with stones, in order to make it appear that he had been killed by a fall of stones from the roof. The jury found Tierney guilty of murder, but recommended him to mercy on the ground of excitement. His counsel had pleaded insanity in his behalf. The jury had also recommended to mercy the young man Doherty, whom I have mentioned; but it was a fact that nobody had made any effort to save Tierney, whose case seemed to the public to be beyond the ordinary cases of recommendation to mercy. But what happened? Why, the Home Office sent down a respite for Tierney; they then appointed two doctors to see if he was insane, and finally his sentence was commuted. The answer to the application on behalf of Doherty did not come at the time of the respite of Tierney; and as it did not come from day to day, the authorities began to think there was a mistake at the Home Office, and that the wrong man was respited, and there was great feeling in Glasgow. Not long after a minister of the Free Church told me that the population of Glasgow was absolutely aghast at the thought that this man should be hanged. He was only 19 years of age; he did not know the person who through him came to his death, and a moment before he had no notion of injuring anybody; there was testimony of his irreproachable character till that event took place; and yet one man was hanged in the face of the public opinion of Glasgow, and the other man, for whom no other man in Glasgow had interceded, was respited, and his sentence was afterwards commuted, and commuted, not by the determination of the jury, but by the determination of two persons sent down by the Home Secretary, who were no doubt anxious that the man should be saved from the gallows, if he could be saved without absolute falsehood, and he was so saved. I declare, without reservation, that in the sight of Heaven, and of every thoughtful man, the punishment inflicted on Doherty was a greater crime than the crime for which he was hanged. The Attorney General said this was a great question. I feel it is a great question. That such a thing as this should happen in any Christian country, in a free country, with a free Parliament, with a law which we are all free to discuss, and a free Press, should be a matter of shame and sorrow to every man who hears of it. I say this is a very great question, and it is one that cannot be dealt with at all comprehensively in a speech, especially a speech made after midnight in this House. But I am of opinion there never was a case submitted to this House for a change of the law that could be more clearly and completely demonstrated than the case which my hon. Friend the Member for South Durham has submitted to the House. I say it has been proved by what has been done in this country, that wherever you have abolished capital punishment there has been great advantage. It has been proved in every other Christian country in the world, and where they have gone further than we have, and have abolished capital punishment for the highest of crimes, a result quite satisfactory has followed. And I say you commit a mis-

take which 100 years to come men will point to as one of the most extraordinary mistakes a Legislature could commit, when you endeavour to promote the sacredness of human life and the reverence for human life by destroying it in cold blood, and by one of the most barbarous methods which the most barbarous nations ever employed. I read some time ago an account of an execution—I do sometimes inflict on myself the penalty of reading such a thing—and I agree that at present we have, in some cases, more details than we had when executions were public. ["Oh!"] I think so, because the reporters are so near. They are as near to the convict as I am to my hon. Friend. In former times they told you all about the crowd, and how the street was filled with spectators; but now, in a space perhaps not half the size of this room, they see every line of the convict's countenance, they see his troubled eyes, the pallor on his cheek, the terror in every limb, and all that is given, with all the embellishments which newspaper writers are so able to add, and these details are carried into every house; and I believe, at this moment, your executions are exerting an influence as evil, and I believe, sometimes, even more evil, upon the public mind than they did in times when they were enacted under the canopy of heaven and before the faces of thousands of the people. What force there is in the law and what superstition in man that he should come out early in the morning and witness the committal of an atrocity inseparable from an execution? The Attorney General referred to the opinion of Mr. Stuart Mill in a speech which he made in this House. I am not going to answer Mr. Mill; but I will quote what a lady of great intelligence wrote to me soon after that speech. She said that she had read his speech, and that it was a very good and powerful speech; but that he had left out of view entirely that any such thing as Christianity had ever existed in the world. Well, but the hangman is one of your officers, and what does he say to your convict? He says—I will quote the language of John Stuart Mill—

> "You are not worthy to live among mankind; I blot you out from the fellowship of man, and from the catalogue of the living."

That is what John Stuart Mill said in this House. But what says the chaplain? The chaplain says—"I pass you on, penitent, into the presence of God, and to take your place amongst the fellowship of the just." These are your two officers who take this course in the silence and almost the solitude of the interior of your gaols. And then in the grey of the morning—and it is generally, I notice, on a Monday morning, after the pious and Christian services of the Christian Sabbath—these terrible scenes are enacted, and you have the Sheriff, and you have the Governor, and you have the policeman, and you have the priest, and you have the hangman, and they strangle in private a human being in order that human life may have a greater reverence among men. Why, is there any savage nation; is there any superstitious African tribe who were ever so mistaken as to commit anything so outrageous as to dream that you could spread amongst your people a reverence for human life by bringing out your Sheriff, your Governor, your parson, and your policeman, and hangman, and then, with a dozen newspaper reporters looking on, strangle a man, or even a woman, and say, by that, you are anxious to spread a reverence for human life? No; it is time this thing should come to an end, and it will come to an end. Your children will all of them regret, if they should ever see that your names have been written in the list of Members of this House who have for one single day countenanced the committal of such horrors in this professing Christian conntry. It is surely time that we should have a Home Secretary who should revolt against the tremendous and terrible duty which the law imposes upon him. I have spoken to a Home Secretary on questions of this nature, and I have told him, in respect of a particular case, —"You know if you hang this man there is no other Christian country in the world in which he would be hung." He did not deny it. It was a matter notorious, and I have seen him burst into tears; I have seen the tears rolling down his cheeks and himself greatly agitated with the burden upon his conscience which he knew not how to shift from it, the law having compelled him to decide this case, his sympathy carrying him one way and his fear of not doing what

the law required compelling him the other. The time, I say, is surely coming when we shall have a Home Secretary who shall revolt against the terrible duty thus imposed upon him, and when we shall have a Parliament, too, which shall raise itself to the height of this great argument, and will believe that Christian law is of more worth than the barbarism that comes only heathen times. And I hope the time will come when we shall show to all other nations, that whatever England has been heretofore in the barbarous nature of her punishments, now at last she takes another course, and instead of being the last, she will be foremost in that path which leads from the blind cruelties of the past to the wise and just mercies of the future. With all my heart and soul I shall give my vote in favour of the Amendment of my hon. Friend the Member for South Durham.

THE SOLICITOR GENERAL said, that he could not but dissent from every proposition enunciated by the right hon. Gentleman, and he was not ashamed to avow that difference of opinion, though almost every person who had thus dissented had been denounced in passionate invective, as if no one had a right to his own views. He thought that the matter might be debated without any such warmth. This was a question that could not be adequately discussed at that hour of the night, and it must be discussed in a manner different to that in which it had been treated that night. The question to be discussed simply was whether life and property would be safe if capital punishment were abolished; and the House could not assume that the position had been proved without substituting dogma for argument. The question resolved itself into this—What was to be the result of such a change in the policy of the law of England? That could not be positively ascertained, and they could arrive at a conclusion only by looking at the experience of other nations, without, however, repudiating the evidence of men's own hearts. He had followed with great difficulty a great many of the assertions which had been made in the course of the debate, and he would mention at once that he did not propose to discuss individual cases of individual murder, such as those which had been brought forward by the hon. Member for South Durham (Mr. Pease) and the right hon. Gentleman, and for this reason—that discussion of any one of those cases might occupy a whole evening; they had been discussed in Courts of Law, evidence had been offered on both sides, and hon. Gentlemen now got up and, no doubt, without intending it, put their own gloss upon the cases. The hon. Member for South Durham gave one or two cases in which he (the Solicitor General) had been engaged as counsel, and that circumstance would prevent him from giving his view of the matter. But this he would say—that he did not concur in the view which the hon. Gentleman had put before the House. Then he came back to the substantial question whether capital punishment could be abolished. He hoped that before sitting down he would justify himself in voting both against the Amendment and against the original Motion. The original question was as to the alteration of the law of murder. And here he would say in one word that although the law of murder might be susceptible of amendment in one or two particulars, yet this was a question which could not be decided in a moment. Hon. Members, while complaining of the existing state of things, did not put before the House, or before their own minds, the difficulties in the way of amendment. The principle of the law of murder was singularly clear; it was the application of that principle to the infinite variety of human circumstances that was difficult. The difficulty of a code was this—that you strove to fasten into an iron framework an elastic principle which the law of England had established with singular clearness. It was said that the abolition would be not to increase the crime, but that it would actually diminish it; and that that had been found to be the case where the experiment had been tried. The fact was that the result had been the reverse. The number of offences had in some countries been increased. He was surprised to hear the right hon. Gentleman speak of the universality of the result of the abolition of the punishment—that there had been no increase of the crime of murder, because the right hon. Gentleman was a Member of the Commission before which the evidence of the Minister of Grace and Justice of Tuscany stated that the crime had nearly doubled during the period when the

capital punishment of death was abolished. The difficulty which he felt was in discussing the question at that late hour; but he would state from the evidence produced that the abolition of the punishment occurred three times in Tuscany and had to be re-imposed. He believed he had given the substance of that evidence when he pointed out that homicides in that country had nearly doubled since the abolition. That was shown to the Commission; but he (the Solicitor General) had no faith in statistics. They were utterly worthless in this case, as it was quite impossible to say how many cases of homicide took place which were not discovered. He found that a Minister in the Italian Chamber, speaking on this subject in 1872, described the state of Italy to be such that the punishment of death could not be inflicted with so much parsimony in future as it had been theretofore; and he added that Italy was the country in which they killed most and hanged least, while England was the country in which they killed least and hanged most. The whole argument turned upon the assumption, that if capital punishment were abolished, the fact would cause no greater interference than at present with life or property. Well, he found in the correspondence set forth by the Royal Commission, to which reference had been made, that the highest authority admitted, in reference to the Swiss Canton of Freburg, that after the punishment of death had been abolished, the crime of infanticide increased from 8 to 15, of manslaughter from 5 to 15, and of assassination from 1 to 5; but he sought to explain the fact away by the statement that one-third of the criminals were foreigners. What was the value of statistics framed in that way; and how could any reliance be placed upon them, unless they were derived from a country which kept proper record? Portugal had been cited as an argument in favour of the abolition of the death punishment; but the number of murders in Portugal was very much greater in proportion to the population than in England; and, in point of fact, the argument told in favour of England than otherwise. The question was, whether dealing with the whole population, the punishment of death could be safely remitted? In his opinion, no man could face the unknown without being moved. Dealing with the Bible argument as it was termed—and, in his opinion, it was no worse because it was a Bible argument—it most undoubtedly had a great effect upon many minds; and a man who might not fear the temporal punishment had a terrible dread of being sent into another world "unanointed and unnannealed, with all his imperfections on his head." This fear of death accompanied most men all through their lives; and if a criminal thought that a murder would be followed by the chance of his sudden death, without that hope of reconciling himself to Heaven, the desire of which haunted all men, the House had to consider whether the intending criminal would not be more likely to pause, if the State had a right to put him to death, and if the State, in his case, were armed with the terrors of a future life.

SIR WILLIAM HARCOURT said, the speech of the hon. and learned Gentleman (the Solicitor General) reminded him of the days of Lord Eldon. The arguments which he had used were arguments which had been advanced by Attorneys General and Solicitors General, generation after generation, against all attempts to mitigate the severity of the criminal law. The Solicitor General had, however, exceeded his Predecessors, because he had invoked not only temporal punishment, but had endeavoured to sanctify this punishment by the terrors of a future life. No such argument had ever before been heard in favour of capital punishment as that the object of that punishment was to send a man into the presence of his God "unhouselled, unanointed, unannealed."

THE SOLICITOR GENERAL was sure that his hon. and learned Friend did not mean to misrepresent him, but he had said nothing of the kind.

SIR WILLIAM HARCOURT said, he certainly understood the Solicitor General not merely to refer to the capital punishment, but to its effect in sending a criminal suddenly into the presence of his Maker. He was happy to find the hon. and learned Gentleman did not intend to use such an argument. The real question was whether the punishment was deterrent? If it were, he would vote for it and support it to the last; for the life of the man murdered was better worth defending than that of the man who murdered. The deterrent argument had supported capital punishment

for stealing to the value of 5*s.* from a dwelling-house. The Solicitor General was so perfectly in tune with the old arguments that he talked of security for life and property; but we had abandoned capital punishment for the defence of property. If it did not deter men from stealing horses and sheep, why would it deter them from committing murder? ["Oh, oh!"] But let hon. Members who said "Oh, oh!" answer that argument. The punishment did not put an end to horse stealing and sheep stealing, and at last people came to consider that perhaps the punishment had not the deterrent effect it was supposed to have. What was at the bottom of the hearts of the people was not a deterrent effect, but an unconscious sense of vengeance and of retribution for the crime. And this was why the punishment was justified in the case of murder, and not in the case of horse stealing. Lawyers were as much shocked when it was proposed to abolish the punishment for horse stealing as they were now at the proposal to abolish it for murder, but the people were wiser than the lawyers. The *Memoirs of Sir Samuel Romilly* showed that such speeches as the Attorney General and the Solicitor General had made to-night were made time after time. It was asked, How can we tell what may be the consequences? There was force in the question then, because the experiment had not been tried then; but it has been now, and we were in a different position. We had remitted the punishment for many offences, and we were not in a worse position than before; and it was therefore fair to ask—If the punishment did not prevent men from stealing horses, why was it more likely to prevent them committing murder? Murder was generally committed under the influence of violent passion; and if it was found that the punishment of death did not deter in the case of crimes which were committed in cold blood, was it possible, was it reasonable, to suppose that it would act as a greater deterrent in the case of murder? As he believed, they might dispense with the penalty of death, even in the highest of all crimes, without any injury to the safety of society, he should vote for its abolition.

SIR EARDLEY WILMOT, in reply, said, he would not at that late hour trespass on the indulgence of the House but for a few moments. He was quite satisfied with the result of the debate, proving, as it had done in the clearest and most convincing manner, that the principle and truth of his Resolution had been universally conceded—namely, that the law of homicide was discreditable in its present state, and ought to be amended. In fact, the Law Officers of the Crown had both of them acknowledged this to be the case, though he must confess he could not gather from the enunciations of the Treasury Bench whether the Government intended to support his Resolution. It was too late then for him to reply to the arguments in favour of total abolition of the death penalty, so ably adduced by the hon. Member for South Durham (Mr. Pease), which he much regretted, as he had purposely deferred making reference to the Amendment till he should have an opportunity of replying on the whole question before the House. It was the first time, perhaps, in the annals of Parliament that an Attorney General had, in a capital punishment debate, himself committed suicide. The hon. and learned Attorney General had thrown discredit on the bundle of Bills brought in from time to time in both Houses of Parliament, from that introduced by Lord Cranworth when Lord Chancellor in 1867, to that of the Recorder of London in 1874, and said, in a tone of exultation, that his (Sir Eardley Wilmot's) bundle was good for nothing, and that the authors or promoters of these Bills could not possibly anticipate success for them; but what would the House think when he (Sir Eardley Wilmot) held out one of these Bills to the view of the House—namely, that of the hon. and learned Member for Salford (Mr. Charley), which was the Infanticide Bill of 1874, and on the back of this Bill, endorsing it with his authority, was the name of the hon. and learned Attorney General himself? The Attorney General questioned his (Sir Eardley Wilmot's) definition of murder, but he spoke from the pages of Hale, Foster, and Hawkins; and he must attach greater weight to these law sages, and great authorities, than any dicta of his hon. and learned Friend. The hon. and learned Attorney General had held out some crumbs of consolation by a vague promise of criminal law codification; but he (Sir Eardley Wilmot) feared that these promises had very little

substantial nourishment in them. In conclusion, he thanked the House, and especially those speakers who had so ably and eloquently contributed to the success of the debate—the interest of which had been well maintained after a long Morning and Evening Sitting.

MR. HIBBERT protested against the statements which had been made in the course of the debate with reference to private executions, which he considered to be a great improvement on the system that previously existed. He believed that 99 persons out of 100 would endorse that opinion.

MR. KING-HARMAN said, that in the county with which he was connected (Roscommon), a base and barbarous murder had been committed within the last few days. It was his firm belief that if the man who committed that murder were arrested and hanged, there would be no repetition of the crime. If, on the other hand, he were sentenced to a lighter punishment than death, life would not be safe in that county.

Question put.

The House *divided:*—Ayes 155; Noes 50: Majority 105.—(Div. List, No. 169.)

Main Question put.

The House *divided:*—Ayes 61; Noes 130: Majority 69.—(Div. List, No. 170.)

House adjourned at a quarter after Two o'clock.

HOUSE OF COMMONS,

Wednesday, 13th June, 1877.

MINUTES.]—NEW WRIT ISSUED—*For* Dungarvan borough, *v.* John O'Keeffe, esquire, deceased.

PUBLIC BILLS — *Resolution in Committee — Ordered — First Reading*—Money Laws (Ireland) Amendment * [198].

Resolution [June 12] *reported—Ordered*—Royal Irish Constabulary [Salaries] *.

First Reading—Marriages Legalisation, Saint Peter's, Almondsbury * [197].

Second Reading — Parliamentary Registration (Ireland) [15]; Crossed Cheques on Bankers [26], *put off*; Legal Practitioners * [43] Elementary Education Provisional Order Confirmation (London) * [179]; Gas and Water Orders Confirmation (Brotton, &c.) * [191]; Elementary Education Provisional Orders Confirmation (Cardiff, &c.) * [178]; Provisional Orders (Ireland) Confirmation (Holywood, &c.) * [192]; Public Libraries Acts Amendment (No. 2) * [136].

Committee—Pier and Harbour Orders Confirmation (No. 2) (*re-comm.*) * [196].

Third Reading—Local Government Provisional Orders (Bridlington, &c.) * [170]; Removal of Wrecks * [181], and *passed*.

Withdrawn—Sligo Borough (Ireland) * [68]; Kingstown Borough (Ireland) * [69]; Assistant County Surveyors (Ireland) * [106].

ORDERS OF THE DAY.

PARLIAMENTARY REGISTRATION (IRELAND) BILL—[BILL 15.]

(*Mr. Mitchell Henry, Mr. Molden.*)

SECOND READING.

Order for Second Reading read.

MR. MITCHELL HENRY, in moving that the Bill be now read a second time, said, it had been previously presented to the House on two or three occasions. The original Bill was introduced in 1874, and, after discussion, was sent to a Select Committee, and was subsequently withdrawn. The Bill was reintroduced early last Session, underwent discussion, and, various objections having been taken to it, was defeated on the Motion for the second reading. On the present occasion he thought the supporters of the measure might reasonably expect that the Government would not feel itself bound to oppose the second reading, inasmuch as the 7th clause dealing with the Supplementary List, and to which the principal objection was taken last year, had been removed. Although the Bill could not be said to make the law of registration in Ireland exactly what it was in England and Wales, yet it went so near to the attainment of that object, that it might be said to be drawn upon the lines and principles of the law of registration in force in those countries. Any objection that might be made to the Bill as it now stood, could be easily removed in Committee, if the Government were desirous to assist in amending the law. They heard a great deal about equal privileges for the three different parts of the United Kingdom; but while in England, the proportion of voters to the male population was about 1 in 5½; and in Scotland, 1 in 5; in Ireland, it was only 1 in 11. Evidence as regarded that fact would, in connection with the borough fran-

Sir Eardley Wilmot

chise, come forward for discussion in a few days, and he would therefore only refer to it now to the extent of saying that he thought if the franchise in Ireland was so exceedingly restricted, they were bound to see that every facility was given to the voter to obtain the power of exercising the franchise. The question ought not to be approached in a narrow or technical spirit, or considered with reference to the manner in which it would affect any particular constituency. For his part, he did not know how it would affect particular constituencies, and based his advocacy of the measure on broad grounds. He had never been able to agree with those who looked upon the franchise as a right. He regarded it as a trust, and not for the individual, but for the country; and he thought it a great anomaly that they should select a certain portion of the people and entrust it to them to return Members of Parliament, while they did not enable them freely and fully to exercise that privilege. Under these circumstances, without entering on the technical effects of the Bill, which would be explained by his hon. and learned Friend the Member for Kildare (Mr. Meldon), who had taken great interest in the question, and which would be debated by the Law Officers of the Crown, he begged to move the second reading of the Bill.

MR. MELDON, in rising to second the Motion, expressed a hope that the hon. and learned Gentleman the Member for the University of Dublin (Mr. Plunket) would not consider it his duty to persevere in moving the Amendment of which he had given Notice of rejection of the Bill. The object of the Bill was, to all intents and purposes, to assimilate the law of England and Ireland so far as the counties were concerned, and the parts of the measure which did not come within that description were to a great degree merely formal. It was not by any means the same measure that was introduced last Session. It was not his intention, nor would it be his wish, that there should be any difference in the law of registration between England and Wales and Ireland. He was not one of those who wished for exceptional legislation, unless in very exceptional cases; but in all questions common to the two countries, he thought the law should be the same for both, and it was with the view of assimilating the law that he introduced his Bill the year before last, and that his hon. Friend the Member for Galway (Mr. Mitchell Henry) introduced the Bills of last year and of this year. In 1873 a Bill was introduced in that House which dealt with the question of registration; and though it was discussed much upon other clauses, no objection was raised, in its passage through that House, to those of its provisions which were embodied in the Bills of 1875 and 1876, and in the present Bill. The provision embodied in the two previous measures, by what was called the "Supplemental List" should be *primâ facie* evidence of the right of persons whose names appear upon it to be upon the register; but that which was really the part of the Bill to which the opposition was directed had been omitted altogether from the present Bill. A Bill with a similar provision had passed through that House without dissent in 1873; but in order to obviate the difficulty raised last year, the clause was now omitted, and the principle of the Bill really was to prevent the defeat of frivolous objection of the right of persons who were entitled to the franchise. It involved no new proposition, but only proposed to enact that which was now the law of England as far as counties were concerned. By the 28 & 29 *Vict.*, c. 6, the Act at present in force in England, it was provided that any notice of objection to persons on the list might be given under the 7th section of the principal Act, but that no notice should be valid, unless the specific grounds of objection were stated. The provision was not extended to boroughs, because the Act dealt with counties generally; but he could see no objection to such an extension, though at the same time, if it were objected to, he should be prepared to assent to an amendment of the Bill in that respect. He must, however, contend that it was a mistake not to include them. There were three distinct lists that came before the Courts of Revision for counties. First, there was the old register, whereon the names appeared of those who had been upon the register in the previous year; and, as far as they were concerned, no one was at liberty to ask that the names should be struck out, unless he himself came forward to sustain his objection. Then there was the Supplemental List, which

was prepared by officials; and under the present Act anyone had a right to see an objection to a name on the list, and unless the person objected to came forward and proved his case, the name was expunged. In England the law was different, because if a man appeared upon the list, a mere mention of an objection was not sufficient to obtain the removal of the name; but it was necessary to specify the grounds of objection; and the person objected to had only to prove that so far as the point, in reference to which that objection was raised, was concerned there was no ground for striking his name off the register. That the Bill proposed to extend to Ireland, and it proposed that, as in England, the revising barrister should be able to award a certain sum for costs against those who failed to establish his ground of objection. The third list was the claimants' list, and with that this Bill did not deal. If a person claimed to be upon the register, and his name was not put on by any official person, then he must come up and prove his case, whether objection was made or not. The provisions he had explained were the 4th, 5th, and 6th clauses of the Bill, and the 7th as it now stood was merely an amendment of the law, to which he thought no one could possibly object. Section 63 of the Act 12 & 13 *Vict.*, c. 91, which was not introduced for the purpose of registration at all, but merely to provide for the collection of rates in the City of Dublin, had the effect of disfranchising a number of persons. It provided that weekly or monthly tenants occupying premises under £8 should not be rated; and by a doubtful construction of the section it had been held that it was sufficient to prevent those persons from obtaining the franchise, and it was for the purpose merely of correcting that error that the 7th section was introduced. The 8th and 9th sections provided for the better discharge of the duties of Poor Rate collectors in a manner that he did not think could be objected to by anybody. The 10th section did not make any change in the law, but merely imposed penalties for the purpose of compelling the collectors properly to discharge their duties in regard to the regulation of votes. The 11th section provided for the remuneration of Poor Rate collectors, and the 12th enacted that persons should not be disqualified by reason of having obtained medical relief from the dispensary. It was exceedingly hard that tolerably well-to-do persons, who from their position would be entitled to the franchise, should be deprived of the right to exercise it, merely because they could not afford medical aid for themselves and their families, and were compelled to go to the dispensary doctor. The 13th section was merely intended to remedy a defect in the present law. The Registration Acts directed that the revising barristers should summon witnesses; but, owing to no provision being made to enforce attendance, the summonses were perfectly inoperative, and the object of this clause was to give the Chairman power to fine witnesses for not attending. The 14th clause provided for the holding of additional Revision Courts. Previous to the passing of the Ballot Act there was a Revision Court in every polling district, but then the number of polling places were few. The Ballot Act provided that, wherever practicable, every voter should have a polling place within three miles of his residence, but the Revising Court was so far that a man might have to travel 18 or 20 miles to sustain his vote. The clause provided that unless the Lord Lieutenant certified that it was inconvenient to have a Revision Court in any polling district, the number of Revision Courts should be a quarter the number of polling places. In a number of counties and boroughs the registration system was self-acting, and this provision could not therefore involve any very considerable increase in the number of Courts. The 15th clause provided that the register and list of voters for each county should contain the post town of the places of abode of every person whose name should be upon it; and the 16th provided that all notices and lists should be posted at the church doors and places of that kind, as well as at the police barracks. Really the principle of the Bill was to extend to Ireland exactly the same law with regard to frivolous objections as that which was in force in England. The only difference was, as he had before observed, that in England the law which this Bill would enact did not extend to boroughs, and if it were considered desirable he should be willing to limit the provisions in counties. He hoped the House would

Mr. Meldon

consent to read the Bill a second time, and if any of the provisions were considered unsatisfactory or objectionable, the objection to them would be discovered in Committee.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Mitchell Henry.*)

MR. PLUNKET, in rising to move that the Bill be read a second time that day three months, said, that he had taken that step with considerable reluctance. There were several points in the Bill which went beyond the English law, and he could not admit, as had been assumed by the hon. and learned Member for Kildare (Mr. Meldon), that the measure would really assimilate the law of the two countries. As Chairman of the Select Committee to which reference had been made, he wished to state the grounds upon which the majority of the Committee came to a conclusion differing from the views of those who last year supported the Irish Registration Bill then before the House, and must contend that that conclusion was neither unjust nor partizan in its character, as had been imputed. He could not admit the force of the argument, that because there were smaller proportions of persons enfranchised in Ireland than in England, therefore the law of registration ought to be strained in favour of such persons as were not entitled to the franchise. The Committee went very fully into the question, calling all the witnesses that they thought could contribute any valuable information, and they had also before them the conclusion arrived at by former Committees with reference to registration in England. The majority came to the conclusion, that a case had not been made out for the proposed alteration of the law; that the existing system was not shown to be so bad, that any of the alternative schemes would be an improvement; and this Bill was introduced for the purpose of giving effect to the views of the minority. The hon. Gentleman who had charge of the Bill which was now under discussion (Mr. Mitchell Henry), seemed himself, to a certain extent, to agree with the decision at which the Committee arrived, for by the removal of the 7th clause, which was put forward as an essential part of the measure of last year, he had left the remainder of the sections hanging together loosely and incoherently. There were other provisions in the Bill, which he (Mr. Plunket) had compared somewhat closely with those of previous Bills, respecting which the changes now proposed were still open to serious objection. He would point out that the present Bill contained a clause which had appeared in another Bill which the House had rejected earlier in this Session on its second reading. That might not be a fatal objection to the second reading of this measure; but he apprehended that, according to the practice of the House, if they went into Committee on the Bill, when they came to the clause in question, the Chairman would not put it from the Chair. He urged that a proposal that a person whose name appeared for the first time on the list of voters should not be required to prove his qualification when an objection had been taken to his name, involved an important departure from the existing law in Ireland, and he believed also in England. It was doubtless very desirable to prevent frivolous objections being taken; but it was equally desirable to have the register of voters as pure as possible, and free from all spurious elements; and that object would be defeated if every possible obstacle were thrown in the way of taking objections to claims. When, however, a claim had been once substantiated, it would not be right to require the voter to prove his case again, unless it was shown on what particular ground his name was objected to. With regard to the proposal for holding a Revision Court in every polling district, he believed it would impose on the revising barrister the necessity of holding an additional Court for every six or seven voters in certain places. Ample means already existed for doing all that was really wanted in that respect. As to the powers which the Bill sought to give the Court for enforcing the attendance of witnesses, he should be surprised to hear on good authority that it was the law in England, that a revising barrister had the power, if a person was summoned as a witness and refused to attend and give evidence, to commit him for contempt of Court, and imprison him for a period not exceeding six weeks. He thought that the existing system as it was worked in Ireland was more satisfactory than the

one which it was now proposed to establish by that Bill. The hon. and learned Gentleman quoted evidence to show that in reality the unchecked action of the Poor Rate collectors could not be safely trusted for the production of a satisfactory list; and he also referred to opinions expressed by the revising barristers of the county and city of Dublin, to the effect that there was no pressing necessity for a change of the existing system. That system, he maintained, worked admirably in most places, and in others where it did not work quite so well, he believed the provisions of the present Bill would not bring about any improvement. In conclusion, he would move the rejection of the Bill, but he should not press the Motion to a division, if the feeling of the House was in favour of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months." — (*Mr. David Plunket.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. BUTT hoped his hon. and learned Friend opposite (Mr. Plunket) would act upon "second thoughts," and would not really interfere with the progress of the Bill. An undoubted anomaly existed, and a substantial grievance stood in need of remedy. That remedy would be applied by the Bill if it obtained the sanction of the House. There was an apparent, but not a real analogy between England and Ireland in the matter. It was quite true that this Bill applied to two lists, whereas in England there was but one. The reason of that was, that the one list in England included the two as they existed in Ireland. The object of the Bill was to make the law in Ireland correspond with the law in England. He believed he had the House with him when he said that the law of the two countries in this matter ought to be assimilated. He strongly combated the notion that clauses good in themselves could not be taken from a Bill considered bad by the House, and inserted in a subsequent Bill. Suppose a private Member brought in a Merchant Shipping Bill which was deemed objectionable, though there were good clauses in it, was the right hon. Gentleman the President of the Board of Trade, who might subsequently bring in a Bill, to be prevented incorporating those good clauses in his Bill? He might apply the same reasoning to a Coercion Bill—though he hoped the right hon. Baronet the Chief Secretary would never form the intention of bringing in a Coercion Bill. If the notion which he had combated was seriously entertained, it would interfere injuriously with legislation in the House; he found multitudes of Bills in which clauses from previous Bills were inserted. The state of affairs on this subject of registration in Dublin was the most extraordinary that could exist in any constituency. Up to the year 1850, rating had nothing to do with votes in the towns in Ireland; it was then £10 rental, as it was in England. When the Municipal Act of 1849 was passed, a clause was inserted, providing that anyone who held for less than three months, tenancy should not be rated. There was a large number of respectable houses held on shorter terms than three months, and the consequence was these persons were not rated. That was very objectionable; but the curious part of it was this — and that though this clause was expressly repealed—that the Collector General of Rates held that a less tenure than three months would not qualify. What was the effect of that? There were in Dublin no less than 21,000 houses rated over £4, and very few of these were disqualified by being in arrears of taxes. No doubt, some of the houses were empty; but these were few, and there were 1,316 houses returned as not rated, because the Collector General did not believe them to be occupied for three months. Now, that was what they wanted to get rid of. No such limitation existed in any other city in the Three Kingdoms. If the House did not pass the Bill, he should expect the right hon. Baronet to bring in a Bill to declare the law on this point. He (Mr. Butt) did not know how the occupiers of those 1,316 houses would vote. He thought it was likely they would not vote as he should vote; but he did not care for that, or that they were disqualified—he was going to say by a trick—but they were disqualified by a quibble of registration. But that was not all. That would not account for the difference in the figures he had given. It was within the knowledge of everyone who owned houses in

Dublin, that whenever a landlord paid the rates, the tenant himself took no trouble to go and make a claim. He never got on the list; and where the landlord was against the tenant politically, he took care to keep his own name on the list. His (Mr. Butt's) complaint about this Bill was that it did not go far enough. It certainly did not on the question of Supplementary Lists. It was notorious that there were 3,000 in the county Dublin who never registered. Many voters came great distances to prove their claims, and if their names were called during a temporary absence from Court their claim was struck off. He knew of persons who wasted their whole day in Kingstown to be put on the register; and in one case where the voter, who had waited all day, left the Court for half-an-hour, his name was passed over, and the Chairman declined to register it. He had not the slightest hesitation in stating that the practice was illegal. The Reform Bill required the list to be called three times, and his opinion was that had never been repealed; and he believed every Chairman was bound to call the list three times before disqualifying a claimant. The real principle of registration was to make it as self-acting as possible. Registration was a modern notion; in the old time, the Sheriff was bound to know who were the freeholders, and register them. Registration, he believed, was an Irish invention, and care ought to be taken to give no opportunity to persons to make frivolous objections. Now, if they served the most frivolous objection on a man on the Supplementary List in Ireland, unless the man proved his case, he was not placed on the register; and he had seen with the utmost astonishment that in many of the Registration Courts they would not accept the evidence of a man's neighbour that he had been in exclusive use of the farm as proof that he was entitled to the vote. Why, if there was a claim to the largest property in England, and it was necessary to prove any man to be an owner in fee of a particular place, evidence that the man had been in exclusive occupancy would be accepted until the contrary was shown; but that was not sufficient evidence for the vote before the Chairman. These were hardships which the Bill did not recognize. What his hon. Friend the Member for Galway (Mr. Mitchell Henry) proposed to do was to mitigate Irish registration by assimilating it to the law of England, and he confidently hoped the House and the Government would not refuse so reasonable a proposal.

MR. BRUEN believed there was no necessity for the Bill. Under the existing system the most perfect facilities for registration existed, and everyone who was qualified to be put upon the list of voters could obtain the privilege without any difficulty. He thought it did not matter whether the list of those who claimed to be placed on the register was drawn up by an official like the clerk of the Guardians, or by the claimants themselves, or by some political organization. It was necessary, however, in order to secure a true register, that there should be free and ample facilities for a thorough scrutiny of the list of claimants. Persons who were interested in the purity of the register should not be deterred from bringing forward objections. With that object in view, if, as had been said, the suffrage was a trust, and not a right, every reasonable facility should be given by the measure before the House. Instead, however, of that, it might almost be termed a measure for compulsory registration. It would compel the insertion on the lists of all claimants on the Supplemental List, whether they were qualified or not; and he did not see that it would place any great difficulties in the way of those who put in their own claims, whether their claims were well-founded or not. It would, therefore, in that way, he was afraid, turn out to be a Bill for promoting larger registers, not at all to be depended upon. While allowing great latitude with regard to objections to claimants, he thought some special protection ought to be given to those who were already on the register. In their case the objections ought to be stated beforehand, and there ought to be a penalty when the objections were frivolous. That being his opinion, there were several clauses of the Bill which he thought might fairly be considered in Committee. He was inclined to vote for Clauses 4, 5, and 6, provided they were so amended as not to apply to the Supplemental List. The latter clause suggested that Poor Rate collectors should be entitled to enter the objections. For his own part, he would rather have

these objections made by the clerk to the Guardians than by a collector, whose station in society was not at all equal to that of the clerk of Boards of Guardians. He must, notwithstanding what had been said by the hon. and learned Member for the University of Dublin, enter his protest against the 16th clause, which appeared to him to be a direct interference with the rights of property. It had been said by an hon. Member that the Supplemental List was usually very accurate, because it was prepared by officials; but, in his experience, he had found it by no means perfect, and he believed the officials who drew it up were often without the necessary information. Looking upon the Bill, as a whole, although there was a great deal in it which he objected to, he did not despair of seeing it amended in Committee.

MR. COLLINS took but little exception to the remarks of the previous speaker (Mr. Bruen), who had dwelt on the subject of giving facilities to persons objecting to voters. He (Mr. Collins) objected to those views on the subject; the points which the hon. Member referred to on the subject of the objections was, that he would extend facilities to persons either on the register, or claiming to be registered, to maintain their claims. That was a subject of very great importance, as affecting registration in Ireland. He was on the register of voters in the borough he had the honour to represent for a period of 30 years, and owing to the fact of not being able to attend the registration sessions about two years ago, to answer one or two questions an objector might choose to put, his vote was actually struck off the register. Other cases might be cited, and he trusted such increased facilities, in the way of evidence or other means, would be given with the view of removing the anomalous and unjust condition of things that existed at present. The minor clauses might be dealt with in Committee, and he thought that the principle involved in the principal clauses was one that would prove generally acceptable to the House.

MR. SERJEANT SHERLOCK said, that he did not think that the fact of there being occasional fictitious claims need lead them to fear that it was anything like a general practice, or that it was one which need be apprehended. The hon. and learned Member for the University of Dublin (Mr. Plunket) had read evidence to show that the Supplementary Lists of the Poor Law officials were not accurate, and referred to the evidence of Mr. Gerrard, the Conservative agent in Dublin, to show that the lists of the Poor Law clerks could not be relied upon. What was the evidence he gave? That the Poor Rate was struck in the month of June, and that they virtually concluded their labours on the 31st December; that they had nothing to do from December to July, and that therefore, during those six months, there were many claimants and many alterations in property not introduced into the lists, and it was supposed that during the months between January and July many claimants would be omitted, but those who were legitimately entitled to be on the register were not interfered with. The hon. Member for Kinsale (Mr. Collins) had illustrated the hardships a voter was subjected to, and he would give an illustration from his own experience. His vote was objected to, and he was obliged to attend in Dublin at some inconvenience, and take with him his title deeds. But upon attending, he was politely told he might go away again, and that the objection would be withdrawn. So it appeared that objections were put on the paper solely for the purpose of seeing if the voter would attend. The objections taken by hon. Members to various details did not seem to concur. Clauses 4, 5, and 6 had been taken exception to by the hon. Member for Carlow (Mr. Bruen), who, however did not object to a discussion in Committee. Another hon. Member, commencing at the other end of the Bill, objected to Clauses 16, 17, 18, and 19. It had been objected to the posting the notices on church-doors that possibly these might be private property, but there was no exception taken to the posting of notices on churches and chapels in England, nor in Ireland, in the case of Poor Law notices. It might have saved the time of the House if hon. Members had, in the first instance, compared their objections to the various details in the Bill. There was one clause he certainly did object to, and that was that Revision Courts should be held in the various polling places. There were in his county 20 polling places, and to take round the Chairman and all the necessary officials

to record the decisions at each of these polling places four times a-year, would be to incur a considerable expense without any adequate advantage. In towns where quarter sessions were held there was a Staff, and there was a house fit for the purpose; but these polling places were most inadequate for the purposes they were now used for, and could not be made available for the purposes of a Court. However, he would not imitate the example of other hon. Members, and go through all the details. He did not know what view the Government might take; but if the Bill went into Committee, all those matters could then be detailed.

MR. CHARLES LEWIS said, it could not be disputed that the debate had been a very dreary one, and liveliness had not been promoted by the presence of the supporters of the Bill. The measure might be called an "omnibus" Bill, and there was no principle in the Bill but one—the assimilation of the law of Ireland to that of England—and it was totally inapplicable to the details. If there was a thread of principle running through the whole, the House might keep within the custom of only dealing with the general principle upon the Motion for second reading; but the Bill was merely a collection of scattered provisions relating to disjointed parts of the law of registration. If, indeed, the Preamble was true, there was some principle in it. It set forth that it was expedient to provide a remedy to prevent frivolous objections, and to facilitate the persons who were entitled to the franchise being placed on the register in the same manner as provided in the cities, towns, boroughs, and counties in England. There were five different alterations in the law provided in the Bill, and in no one of those was there a complete analogy to the law in England. He strongly objected to the clause which proposed to give the revising barrister unlimited power to impose costs on the objector who had not proved his case. There was no such law in England, and this Bill professed to assimilate the law in Ireland to that of England. It would be most dangerous to give such a power to the revising barrister, seeing that he might, in a fit of gout or a fit of temper, altogether abuse it. At present the vigilance of the opposing political parties kept the registers nearly pure. The power proposed by Clause 8 to be given to collectors of rates was arbitrary, and would in many cases take away the franchise from a legitimate voter. He submitted that the Bill, so far from assimilating the law of Ireland to that of England, would create greater dissimilarity than that which at present existed; and at that period of the Session, it was hardly worth while to waste the time of the House when the Committee would give rise to so much discussion.

SIR HENRY JAMES observed that the objections of the hon. Member for Londonderry (Mr. Charles Lewis) applied to the details more than to the principle of the Bill, and did not afford a sufficient ground for refusing to read it a second time. He contended, with reference to those objections, that he (Sir Henry James) had not thought it would be urged that legislation for Ireland must not be in advance of legislation for England. There were separate subjects in the Bill, but how could the promoters have a distinct Bill for every alteration which was desired? In respect to the county vote, the Bill would assimilate the Irish to the English system; and with respect to the borough voter, if the proposal made was in advance of the law of England, that was no objection to it. What his hon. Friend now proposed in this Bill was what had been recommended by the Committee of 1869 to be the law regulating questions of this kind both in England and Ireland. What was the common sense of the matter, but that a man who had to meet an objection should know beforehand what the objection was? There were five distinct grounds of objection which might be made, and what hardship was there in requiring the person who objected to say on what particular grounds of objection he took his stand? It was well known that persons engaged in these matters sent out objections by thousands to poor men who they knew could not attend to prove their claims without loss of the day's wages which they wanted to buy food for their children. And that was what was called purifying the register. The fact that there were those who would perpetuate such a system almost suggested the existence of a desire to restrict the operation of the franchise. He could understand, therefore, why the hon. Member for Londonderry ob-

jected to allow the revising barrister to exercise his discretion as to costs. But the whole policy of the English law went in this direction; because while at first, the costs were to be only 20*s*., they were afterwards increased to 40*s*., and then something additional was allowed. He trusted the Government would show the Irish Members the courtesy of consenting to read the Bill a second time, because it would be of evil precedent to obstruct a meritorious measure without good cause. Any objections to its details could be readily encountered in Committee.

CAPTAIN NOLAN said, that if either of the firm of Taper and Tadpole had made a speech in that House, it might have been something like that of the hon. Member for Londonderry (Mr. Charles Lewis). The mode of getting into Parliament adopted by these gentlemen was to "reduce the number of voters in every possible way by lodging objections." No doubt, the hon. Member thought that by keeping down the number of Irish votes as much as possible, he would keep in the Constitutional Party in Ireland. It was more important that there should be a good system of registration in Ireland than in England, for this simple reason—England had about five times the number of Members of Parliament than there were in Ireland, and England was only twice as large as Ireland; consequently the average area which each Member represented was two and a-half times as large as in England, and the larger the area which each Member represented, the greater the necessity for registration facilities. The hon. and learned Member for Taunton (Sir Henry James) had referred to the loss of time occasioned to voters on account of frivolous objections, and he (Captain Nolan) thought that costs could never be more properly awarded than when given against men who lodged a frivolous objection. They should not be playing a little game at getting on Home Rulers and Conservatives, but should aim at getting all qualified electors on the register.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, that the question had been fully discussed, for it had occupied something like four hours, and every clause of the Bill had been adequately commented upon. The hon. and learned Member for Taunton had suggested that the Conservative Party was the Party who were anxious to keep people off the register—that they were the only Party who served frivolous objections. He would not waste the time of the House by discussing these charges; but he would make a few observations on the course of the debate, which from the very nature of things, involving as it did more or less the consideration of details, had necessarily taken a wide and discursive direction. He did not think that anyone on either side of the House doubted that it was fair and reasonable to give all due facilities for the registration of persons who were entitled to be on the register. He had not heard any suggestion upon either side of the House that it was right to encourage, or not to discourage, the forwarding of undue frivolous objections. He thought the distinction that had been taken about the serving of notices of objection was one which did not come home to the mind of the hon. and learned Member for Taunton (Sir. Henry James). He (Sir Henry James) had not applied himself to the line of objections taken by his hon. and learned Colleague and other hon. Members on that side of the House. Assuming that a person was named on the register, and that he had been a voter, they all agreed that his status as a voter should not be attacked without giving him proper notice. But it was quite open to discussion whether the same considerations and the same lines of thought should be applied to those who had not been voters, and were on the Supplemental list. This List, which was peculiar to Ireland, and of the existence of which the hon. and learned Member for Taunton did not seem to be aware, contained the names of those who had not had their right to vote recognized, but possessed only two out of five elements of qualification which gave a *primâ facie* case of a right to vote. That right might, he thought, be fairly challenged by a general objection. He did not hear it denied by the hon. and learned Member for Londonderry that it was right and fair to give the revising tribunal the power of awarding costs; he only argued that it would be unreasonable to give to the revising tribunal, the powers of giving costs without stint or measure. There was no question as to the propriety of giving revising tribunals the

right to award costs to a fair amount—say 20*s.* or 30*s.* If there were objections to excluding parties from the register, who had a right to be on, it was also objectionable to practically prohibit objections by which substantial harm was done to the purity of the electoral lists. Considerable criticism had been directed against what was known as the "Dublin clause," and he should only say that it dealt with several complicated considerations which would require much attention in Committee if it was to be retained in the present Bill. With regard to the question whether the receipt of poor relief should disfranchise an elector he should reserve his opinion. He presumed the hon. Member for Galway (Mr. Mitchell Henry) did not mean to lay down a hard-and-fast line that there should be a Revision Court at all polling places, but only that every possible facility should be given for registration. It was, he believed, possible under the present law to remedy the existing inconveniences, and his sympathies were entirely in favour of giving every reasonable facility for adequate revision at convenient places. If this could not be effected under the present law, he was in favour of passing an enactment to give the convenience sought. Last year, when the hon. and learned Member for Kildare (Mr. Meldon) introduced a similar measure, he (the Attorney General for Ireland) took upon himself the responsibility of opposing its second reading, because there was contained in it a clause to which he had very strong objections. That clause did not appear in the present Bill, and so far, his objection was removed. Fully recognizing the value of the criticisms of hon. Members against the provisions of the Bill, and that they were not without foundation, he saw no reason why the Bill might not be read a second time.

SIR WILLIAM HARCOURT very much doubted whether any private Member, even although armed with the unanimous recommendations of a Committee, could carry a Registration Bill in the present state of Public Business. He had had personal experience of the utter impossibility of any private Member being able to pass a Registration Bill; but he would urge upon the Government that they should undertake the task of providing satisfactory registration laws, not only for Ireland but also for England. It was admitted by everybody that the present registration laws were a scandal, and he trusted that next Session the Government would introduce a Bill dealing with the whole matter.

MR. PLUNKET said, he would offer no further opposition to the Motion for the second reading, but would reserve to himself the right to oppose what he considered a mischievous Bill in its future stages.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

CROSSED CHEQUES ON BANKERS BILL.—[BILL 26.]

(*Mr. Hubbard, Mr. Goschen, Mr. Alderman Cotton, Mr. Twells.*)

SECOND READING.

Order for Second Reading read.

MR. J. G. HUBBARD, in moving that the Bill be now read the second time, said, his object was to take out of the hands of thieves the facility of making a profit through such *media* as crossed cheques on bankers. The right hon. Gentleman gave a history of the introduction and use of cheques in commercial transactions, drawing attention to the several circumstances which had led to the subsequent modifications of those instruments, passing from the open cheque to bearer to the crossed cheque, and then to the cheque to order crossed. Neither one nor other of those modifications had been sufficient to protect the public from the loss arising from bankers paying cheques, in disregard of the instructions in the crossing, to a person who had either stolen it himself, or who had got possession of it, although *bonâ fide*, after it had been stolen. To remedy such a state of the law, Her Majesty's Government last Session introduced and passed a measure consolidating and declaring the law, but providing no means of enforcing it, except with reference to cheques which should be inscribed with the words "not negotiable;" but neutralizing even that limited protection by exonerating from responsibility the banker through whom the cheque was encashed. He had incor-

porated in this Bill nearly the whole of the Act of last Session with the exception of the 12th clause, which in its present form left a large class of cheques payable to order absolutely unprotected. His object was to extend to every cheque payable to order and crossed, the same protection the Act of last Session intended to give to cheques stamped "Not negotiable." That Act had proved an entire failure, so much so that up to two days ago on making inquiries at the Bank of England, the chief cashier told him that of the 5,200 customers, he had not noticed any cheques marked "Not negotiable" sent into the Bank since the passing of the Act of last year, except in the case of one customer, who was a Dutchman, and who, doubtless, did not understand the real meaning of the term. He thought this showed that the Act of last year had failed to accomplish the object it had in view; that, as it stood, it gave security to no one; it only protected a class of cheque which did not and never would exist, and that protection he now proposed to extend to cheques by which nine-tenths of the business of the country was transacted. The right hon. Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. J. G. Hubbard.*)

MR. BACKHOUSE, in moving "That the Bill be read a second time that day three months," said, the Act of last year had not yet had a fair trial, and that it was premature to attempt any alteration in the law until such time as it had. Indeed, he had not heard of any demand for an alteration of it. Owing to a certain legal decision, there was a general desire that the law should be made clear, and he believed it was made sufficiently clear by the Act, of which no complaint had been made. The Bill was simply a repetition of the Act, except as regarded the change proposed by Clause 9. If that were passed, every cheque would require to be accompanied by something like an abstract of title, and the inconvenience would be a serious restriction upon business; and the real question was whether it was necessary. He never heard of any losses arising through the miscarriage of cheques sent through the post in payment of dividend warrants; and cheques payable to order had become so common, and had been found so convenient, that any restriction upon the use of them would be a serious matter. He was told there were firms of solicitors in London who never paid a cheque that was not marked "Not negotiable," and that showed that the legal Profession were fully alive to the advantages of the endorsement, although time had not allowed the general public to become so. The Act of last Session gave all the protection that was necessary, and, as no case was made out for a change, he would move the rejection of the Bill.

MR. THOMSON HANKEY seconded the Amendment. He had listened attentively to the remarks of the right hon. Gentleman (Mr. Hubbard), but he was not convinced that there was any occasion to re-open the question. All that had been said now was said in the debate of last year, when the question was also fully discussed in the House of Lords, where the Bill was introduced by the Lord Chancellor. In that circumstance alone the public had the assurance that it had been prepared with the greatest legal care and attention. That day he had made inquiry at the Bank of England, and he was told that there were no complaints of the operation of the Act of last year. No Petitions had been presented to the House against it; and under all the circumstances he hoped the Government would not assent to any change in the law at present.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Backhouse.*)

MR. MARTEN deprecated so large an interference with the negotiability of cheques as would result from passing the measure. Only one case of inconvenience had arisen during the 20 years that cheques payable to order had been in use. The question was, whether Parliament could devise some plan by putting words on cheques so as not to render them negotiable. He believed that the effect of disturbing the existing law would be to unsettle many thousands of transactions in London and all parts of England. The Act of last Session protecting cheques marked "Not negotiable," ex-

actly met the particular case which created alarm among bankers and commercial men, and did not interfere with the general practice of the country with regard to the negotiability of the cheques. Beyond that, no question had as yet arisen on the construction of the 12th section of the Act of last Session, so as to render further legislation necessary on this subject. He thought it would be a great mistake to interfere with the working of an Act which had so lately passed into law, and he should, therefore, oppose the Bill.

MR. GREGORY, on the other hand, supported the measure. He did not wish to see the negotiability of cheques extended, and thought that it led to much inconvenience in the conduct of business. When he drew a cheque he expected that the person to whom he passed it would at once present it for payment, and not pass it from hand to hand like a bank note, as the longer it was in circulation the more difficult it became for him to keep his accounts in proper order. All the cheques he paid were marked "Not negotiable;" but he did not receive many so marked. He doubted whether the law was, or was likely to be, understood by the public, who supposed that it was sufficient protection to make a cheque payable to order and to cross it. As regarded the provisions of the Act relating to bankers, he quite agreed that every reasonable protection should be given to them, and he knew that all the old banking firms in London and in the Provinces were very careful as to whom they opened accounts with, but there were other firms or companies who did not exercise the same caution, and who were not entitled to the same consideration.

MR. MORLEY hoped the Bill would not be pressed to a division, as it was too soon to legislate on the question again. He believed there was great value in the words "Not negotiable," and that, as that value became known, they would be more frequently used. But it would be a very serious inconvenience if, as the right hon. Gentleman opposite (Mr. Hubbard) seemed to wish, customers were not allowed to remit in cheques payable to order, the number of which, he believed, exceeded the number payable to bearer. The question was, on the whole, closed very satisfactorily last year, and he thought it would be wise not to make any further alteration in it at least for two years.

MR. MUNTZ said, that stolen cheques were received like stolen goods, and it must be known in many cases to the parties paying, because the persons who presented them were scarcely able to write their names. Cheques payable to order were intended to be as negotiable as bills of exchange; but as no one ought to take a bill of exchange of which nothing was known, so no one, and especially a banker, ought to take a cheque without some assurance that it was properly presented. If he did, in so doing he aided and abetted a felony. A cheque for a large sum was never posted without some anxiety to hear that it had been received by the person for whom it was intended.. It was said by some that cheques ought not to be treated as negotiable; but of what use would cheques be if they were not negotiable? All that they wanted was that bankers should not cash crossed cheques with facility, at least, without great care and caution. If his right hon. Friend went to a division, he should certainly vote in support of his Motion.

THE ATTORNEY GENERAL said, he hoped the House would not assent to the second reading of the Bill. The circumstances of a recent case rendered it necessary that some alteration should be made in the law, and accordingly the Lord Chancellor introduced his Bill. He (the Attorney General) had the conduct of that Bill in that House, and he had interviews with many persons interested in the matter, and he found there existed among them a general *consensus* in favour of the negotiability of these crossed cheques. People had become used to them, and persons to whom they were sent were in the habit of passing them on like bank notes. After much consideration, it was thought better to leave these crossed cheques as they were, but to give the drawer the power to insert the words "Not negotiable" in the crossing, which under the clause meant that the person holding the cheque should not be held to have a better title to the cheque than the person he received it from. At present, if a man wanted to make a cheque safe, he had only to write upon it "Not negotiable;" and if in its transit it was stolen, the question might be asked—What would

the thief do with it? The answer was that if a person chose to cash it, he would be responsible to the true owner of the cheque, and that the banker who violated the Act of Parliament became responsible for the whole amount, if he passed the cheque. His right hon. Friend (Mr. Hubbard) was not content with this, and wanted to apply the provision to all crossed cheques payable to order, and thus to restrain their negotiability. This was the very thing against which an outcry was raised by the mercantile community last Session, and his right hon. Friend's proposal to engraft the principle of the present Bill on that of last Session was fully discussed and finally rejected by the House. His right hon. Friend in his able speech had repeated those views—views which, if now accepted by the House, would practically complicate and harass the commerce of this country. The Act of last Session, which his right hon. Friend said no one could understand, provided the means for a man to protect himself without unduly interfering with the negotiability of crossed cheques, and it also indicated to bankers the means by which they could protect themselves. The effect of the words "Not negotiable" might not be properly understood, but the mercantile community would soon get to comprehend the Act. It ought, at all events, to have a little more time given to its operation; because the existing Act undoubtedly gave the means of protection without interfering with the negotiability of cheques.

MR. WHEELHOUSE considered it was not desirable that the House should now consent to change a law which he believed to be working advantageously to the public interest. They should be extremely careful not to shake confidence in an Act which was only passed 12 months ago, and which was certainly found to give great protection to the drawers of cheques and bankers.

MR. J. G. HUBBARD, in reply, said, that as he had been asked why he had brought in this Bill, he wished to repeat that some amending Bill was necessary, because the language of the 12th clause of the present Act was absolutely contradictory. It was perfect nonsense, and as a piece of legislation most discreditable. If the House, however, chose to perpetuate such a piece of absurdity, the present Bill would remain on record as a proof that he, at least, had done his duty.

SIR JOSEPH M'KENNA said, that his vote for the measure would be given on the ground that he thought it would remedy a defect in last Session's legislation, which enabled a man who had got an instrument by a bad title to convert that title into a good one, and to avoid all responsibility for having taken it with a bad title. He should support the Bill.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 66; Noes 175: Majority 109.—(Div. List, No. 171.)

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for three months.

ROYAL IRISH CONSTABULARY (IRELAND) BILL.

Resolution [June 12] *reported*;

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of permanent Salaries to the Members of the Royal Irish Constabulary, and to amend 'The Constabulary (Ireland) Act, 1874.'"

Resolution *agreed to*:—Bill *ordered* to be brought in by Sir MICHAEL HICKS-BEACH and Mr. ATTORNEY GENERAL for IRELAND.

MONEY LAWS (IRELAND) AMENDMENT BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Money Laws of Ireland, and prohibit the issuing of Promissory Notes under Two Pounds.

Resolution *reported*:—Bill *ordered* to be brought in by Mr. DELAHUNTY and Mr. RICHARD POWER.

Bill *presented*, and read the first time. [Bill 196.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 14th June, 1877.

MINUTES.]—PUBLIC BILLS—*First Reading*—Trade Marks * (106); Local Government Provisional Orders (Bridlington, &c.) * (107), and *referred* to the Examiners; Fisheries (Oysters, Crabs, and Lobsters) * (108); General Police and Improvement (Scotland) Act (1862) Amendment * (109).

Second Reading—Local Government Board's Provisional Orders Confirmation (Joint Boards) * (92); Local Government Board's Provisional Orders Confirmation (Artisans and Labourers Dwellings) * (91).

Committee—Report—Provisional Orders (Ireland) Confirmation (Artisans and Labourers Dwellings) * (78); Provisional Orders (Ireland) Confirmation (Ennis, &c.) * (79); Crown Office * ( ); Local Government Provisional Orders (Altrincham, &c.) * (89); Local Government (Gas) Provisional Orders (Penrith, &c.) * (90).

Third Reading—Settled Estates * (49); Public Libraries Act (Ireland) Amendment * (65), and *passed*.

THE CONFESSIONAL—"THE PRIEST IN ABSOLUTION."—OBSERVATIONS.

THE EARL OF REDESDALE rose to call the attention of the House to a book entitled *The Priest in Absolution*, privately printed by, and at the disposal of, an association of clergymen called the Society of the Holy Cross, for private and limited circulation among the clergy. The noble Earl said: My Lords, the book the subject of my Notice was brought under my observation a short time ago. Upon perusing it, I venture to think that the fact of such a work being in existence is well worthy the consideration of your Lordships' House and of the whole country—or, at any rate, of those who are interested in the Church of England. The Society by which it is printed and circulated is called the Society of the Holy Cross, and has among its members many well-known and in some respects very excellent men; but men who entertain peculiar views on certain subjects. The Rev. A. H. Mackonochie is or was Master of the Society, and on the Council are the Rev. Dr. Littledale, the Rev. A. H. Stanton, the Rev. C. T. Lowder, and the Rev. H. D. Nihill, and the Rev. A. Tooth is one of the Foreign Missions Committee. With regard to the book itself, I am informed that it was compiled by a gentleman now dead, from whose widow the Society of the Holy Cross purchased the copyright. As to the nature of this work, it seems to be regarded with suspicion even by the person who compiled it, and by those who have published and circulated it; because in the Preface we find this passage—

"To prevent scandal arising from the curious or prurient misuse of a book which treats of spiritual diseases, it has been thought best that the sale should be confined to the clergy who desire to have at hand a sort of *vade mecum* for easy reference in discharge of their duties as confessors."

This statement seems rather remarkable, and would appear to indicate that those who are engaged in circulating the book have some suspicion in respect of its character: and I am informed that by one clergyman, who had requested copies of the work to be forwarded to him, this reply was received—

"I am unable to comply with your request without reference to some well-known priest of your acquaintance."

It would appear, therefore, that the circulation of the book even amongst the clergy is carefully and particularly limited. Bearing in mind the doctrines of the Church of England, the doctrines laid down in this book are rather extraordinary. I will not quote many extracts to your Lordships, but to show the character of the book I feel bound to quote two or three. Here is one—

"There is no resource for the spiritually sick but private confession and absolution; and to make that effectual it is necessary that the penitent be examined with discretion and expertness."

It then proceeds to state the way in which these examinations are to be carried on. It says—

"Children may receive absolution with much spiritual benefit after seven, or even five or six."

"The priest must be careful not to be too reserved in questions, lest he risk thereby the loss of a great good for the sake of the less."

"Children may be asked with whom they sleep; if they have played with their bedfellows; touched each other designedly or unbecomingly."

"Adults: with whom they had to do; whether more than once with the same person; when it took place; how often the sin was committed; how often interrupted before committed."

I do not like to go into these matters, and I think your Lordships will admit that questions of this kind are at least suggestive, and much more likely to

bring about than to avoid the evils to which they relate. I will bring one further subject of examination under your Lordships' notice to show how grave is the matter to which I have ventured to direct attention, in the hope of putting a stop to the practices inculcated by the book—

"In regard to married persons, the priest is bound ordinarily only to inquire, when he finds it necessary, of wives if they have rendered due benevolence, and that only in the most modest way he can, and not inquire further unless he be asked questions himself. Wives should be asked if they have not caused their husbands to blaspheme by not rendering due benevolence. Wives often by refusing the latter are damned, and cause the damnation of their husbands by driving them to thousands of iniquities. The question should be veiled in discreet language: 'Do you obey your husband in what belongs to the marriage state?'"

I will not go further into these matters—I think I have said enough to show the character of the examinations suggested in this book, for use by the priest when the people come to him for confession. The danger arising from auricular confession is admitted in the book, for in one passage it is stated that the confessor "should abstain from every word which springs from tenderness," and that "though he may say 'My dear son' to a young man, prudence forbids him to say 'My dear child' to one of the other sex." Then there is this testimony in the book as to the result of the system—

"It is only too easy during long intervals to be exposed to the incursion of impure affections, and to lose more than is gained. Circumspection is the more necessary when the youth or appearance of people, or the subjects of confession, or their great piety or wickedness, might cause more easily bad impressions on his or their hearts. Pity, I say, has been more than once a wreck upon which imprudent confessors have been wrecked, who, by commencing with a simple spiritual esteem, have ended insensibly with a sensual and carnal love."

I will now say a few words as to the doctrines set forth in this book. It is a doctrine of the Church of England that there are only two Sacraments. According to this book, Confession and Absolution are a Sacrament. Another doctrine of the Church of England is that there is but one Mediator between God and man. What does this book say?—

"To think of the Ever Virgin Mary and her purity, and to beseech God to hear her intercession on behalf of those who long for likeness to her immaculate example."

This is the manner in which the book describes "The Priest"—

"The Priest as a Judge.—It is in his capacity as Judge, in remitting or retaining sins, that skilful adroitness supplies him with means for bringing the sinner to a right state for receiving absolution."

It further states—"The priest is Judge in the place of God." That is, he assumes to himself perfect infallibility of decision in respect of the persons who come to him to receive absolution, and thereby to be relieved from all responsibility on account of their sins, and he is to judge infallibly—perhaps erroneously, in reality—as to the sincerity of the penitents. My Lords, I must say it is high time that the laity should move in this matter. Hitherto it has been treated too much as one exclusively for the clergy. Since I put my Notice on the Paper my attention has been called to another book entitled "*The Priest's Prayer Book*, designed as an Appendage to the Book of Common Prayer. Fifth edition. Much enlarged: 369 pages." There is one point to which I would call your Lordships' attention as showing the manner in which the various matters contained in this book are dealt with. In the book are directions under the heading "Communion of the Sick with Reserved Sacrament." Anything more contrary to the doctrine of the Church of England than the "Reserved Sacrament" I cannot conceive. What does the rubric of the Church say in reference to the consecrated elements? It says—

"If any remain of that which has been consecrated, it shall not be carried out of church, but the priest and such other of the communicants as he shall then call unto him shall, immediately after the blessing, reverently eat and drink the same."

And the 28th Article is in these words—

"The Sacrament of the Lord's Supper was not by Christ's ordinance reserved, carried about, lifted up, or worshipped."

But what does the *Priest's Prayer Book* say—

"The priest then takes the blessed Sacrament from the pyx, and, holding it before the sick person, says—'Behold the Lamb of God which taketh away the sins of the world.' He kneels down and adds—'Lord, I am not worthy that Thou shouldest come under my roof, but speak only and Thy servant shall be healed.'"

He then rises and communicates, using the proper words. I do not know whether the notice of the right rev. Bench has been directed to this book—I think it most deserving of their attention. In calling your Lordships' attention to the subject, I am actuated by a sense of duty, for I feel that the time has arrived when there should be a decided condemnation of practices such as those indicated in the volumes from which I have quoted these extracts.

THE ARCHBISHOP OF CANTERBURY: My Lords, I think none of your Lordships will doubt that the noble Earl has undertaken a most disagreeable and painful task, and I feel obliged to him for putting aside his private feelings in order to draw the attention of your Lordships to this very serious and important matter. The noble Earl asks whether our attention has already been drawn to this book, published by the Society of the Holy Cross. It is owing to the courtesy of the noble Earl himself that my attention was drawn to it very recently. I trust—and, indeed, feel convinced—that the persons represented by this book are very few indeed. I shall feel very much surprised if it should not turn out on examination that there are only very few of the clergy of the Church among these persons. At the same time, the fact that there should be any is to my mind a matter of very great concern. The noble Earl spared us from many details; but, at the same time, he read from the book quite enough to show that no modest person can read the book without regret, and that it is a disgrace to the community that such a book should be circulated under the authority of clergymen of the Established Church. Most of us have felt pained when details have been brought forward of what in some degree is authorized by another branch of the Church of Christ; but, at all events, we had the satisfaction of knowing that in that other branch of the Church of Christ, where the sanction of that authority is given, very great care is taken in respect of this most dangerous weapon which is put into the hands of its clergy. If, however, I rightly comprehend the matter which the noble Earl has brought before us, the persons who put this book forward have no authority but one which they have arrogated to themselves. They have been in no way invested with authority by their superiors to do what they have done in this matter: and, my Lords, the restraints which in the Church of Rome are imposed in order to prevent those results arising which we might expect to arise from the practices to which I am referring are certainly wanting in this case. Now, I do not know what is the law with respect to books of this nature. I do not know whether the law is broken if a book of this nature is circulated without being publicly sold; but I cannot help thinking that the person who circulates a book of this kind—even though he refuses it to a clergyman who applies for it, unless he refers to some third party, is treading very near the confines of the law. As to the particular question of doctrine to which the noble Earl alludes, I may say that it has engaged the attention of the right rev. Bench on more than one occasion. In the year 1873 the whole body of the Bishops of the Province of Canterbury drew up a formal Declaration of opinion, which they thought might fairly be supposed to represent the doctrine of the Church of England on this subject; and a noble Lord, who, I think, is not now present (Lord Oranmore and Browne), having moved for it, the Declaration was laid on the Table, and has been recently printed for the use of your Lordships. In that document there is this statement—

> "In the matter of confession, the Church of England holds fast those principles which are set forth in Holy Scripture, which were professed by the primitive Church, and which were re-affirmed at the English Reformation. The Church of England, in the 25th Article, affirms that penance is not to be counted for a sacrament of the Gospel, and, as judged by her formularies, knows no such words as 'sacramental confession.' Grounding her doctrine on Holy Scripture, she distinctly declares the full and entire forgiveness of sins through the blood of Jesus Christ to all who bewail their own sinfulness, confess themselves to Almighty God with full purpose of amendment of life, and turn with true faith unto Him."

Having enumerated the two cases in which the Church has made special provision for the relief of troubled consciences, the Declaration proceeds—

> "Nevertheless it is to be noted that for such a case no form of absolution has been prescribed in the Book of Common Prayer, and, further, that the Rubric in the first Prayer Book of 1549, which sanctioned a particular form of absolu-

tion, has been withdrawn from all subsequent editions of the said book. In the Order for the Visitation of the Sick it is directed that the sick man be moved to make a special confession of his sins if he feel his conscience troubled with any weighty matter, but in such case absolution is only to be given when the sick man shall humbly and heartily desire it. This special provision, however, does not authorize the ministers of the Church to require from any who may resort to them to open their grief a particular or detailed enumeration of all their sins, or to require private confession previous to receiving the Holy Communion, or to enjoin or even encourage any practice of habitual confession to a priest, or to teach that such practice of habitual confession, or the being subject to what has been termed the direction of a priest, is a condition of attaining to the highest spiritual life."

I quote this paper to show your Lordships that the Bishops of the Province of Canterbury have given their careful attention to this matter, and have endeavoured to put forward the views of the Church on the subject; and I do hope and trust that right views with respect to it do prevail generally among the clergy, and that the clergy who have recourse to such modes of introducing confession, as the noble Earl has spoken of, or of prying into the secret thoughts or hearts of those who come to them are but the few exceptions. I am bound, however, to say that it is with the profoundest regret I have heard the names of some of those who have been mixed up in this matter. Among the names which have been sent to me is one of a clergyman in my own diocese whom, as a Christian gentleman, I highly respect. The moment I saw his name in the paper which the noble Lord placed in my hands, I felt it my duty to point out to him the position in which he had placed himself, if the allegation were true, in connection with this book or with the society from which it issued. That clergyman is, I believe, at present abroad, and therefore I have not been able to procure a reply from him in time for this occasion. But I trust that more than one of the clergymen connected with this Society will feel that they have fallen into a most grievous mistake. Perhaps their motive may have been a good one: indeed, I should say that certainly it has been, because they have acted with the view—a faulty one, no doubt—of being better able to guide the minds of those entrusted to their spiritual care. But they have made a most grievous mistake in endeavouring to pry into the secret thoughts of the human heart in matters of this delicate character. I am certain that if such a course is persevered in it will have very evil results—first, in the harm it will do their own minds; secondly, in the harm it will do to the minds of those who come to them, and whom they address in the terms pointed out in this book; and, thirdly, in its effects as regards the influence in families of the clergy of that Church whose interests they wish to further. I cannot imagine that any right-minded man could wish to have such questions addressed to any member of his family; and if he had any reason to suppose that any member of his family had been exposed to such an examination, I am sure it would be the duty of any father of a family to remonstrate with the clergyman who had put the questions, and warn him never to approach his house again. I have ventured, my Lords, to express my own feelings on this matter very strongly; but I have no reason to suppose that I am not the mouthpiece of the right rev. Bench on this occasion. Indeed, I have reason to know that one of my right rev. Brothers, who is now present, having seen connected with this book the name of a clergyman whom he was about to institute to a living, took immediate steps in relation to the matter, and had the satisfaction of receiving from the clergyman a disavowal of any connection with either the book or the Society.

THE BISHOP OF GLOUCESTER AND BRISTOL said, his attention, a short time ago, was called to the fact that a clergyman whose name appeared connected with the executive of the Society in question was about to enter his diocese. As the clergyman was about to enter it through the resignation of another, it was in the power of the Bishop to decline to accept the resignation. As Bishop of the diocese, he therefore did not hesitate for a moment to state that he would not receive the resignation. This, of course, called forth explanations. In order to bring the matter to a point he required the clergyman to sign a paper drawn up as follows:—

"I herewith notify to you (the Bishop of the diocese) that I have withdrawn from the Society of the Holy Cross, and that I distinctly repudiate the work entitled, *The Priest in Absolution.*'

The Archbishop of Canterbury

In the course of two days he received this document, signed by the clergyman, who was now not connected with the Society. There were two facts emerging from the narrative which seemed to demand attention. One was that probably there were many members of the Society who knew very little indeed about the Book. It was, therefore, only reasonable and fair that the whole members of the Society should not be judged by the exceptional cases that stood prominent in connection with it. The second fact—which was of a very grave kind—was this, that a gentleman occupying the position of one officially connected with this Society had felt it his duty, when his attention had been called to the subject, not only to surrender his position in the Society, but distinctly to repudiate the book. The inference from this would certainly seem to be either that the relations of that clergyman to the Society could not be considered wholly satisfactory, or that the book must be considered a singularly bad one. If otherwise, why did he at once so abruptly close his connection with it? However that might be, he should not now hesitate to admit to the rev. gentleman to his diocese; and he might conclude by expressing the hope that his example would be largely followed, and that after this conversation and the attention that had thereby been drawn to the book very many of the members of the Society alluded to would re-consider their position in reference to it.

LORD ORANMORE AND BROWNE was understood to say that the subject was no new one, for he had on more than one occasion drawn attention to the subject of auricular confession as practised by some priests in the Church of England. He brought it to the notice of their Lordships last year, and he regretted that the right rev. Bench did not in consequence take decisive action in reference to it. The presence at that moment of only about half-a-dozen of the Prelates of the Church showed that the Episcopal Bench was not much in earnest in condemning this very objectionable practice. He should be glad to hear from his Grace the Archbishop of Canterbury that he had not granted a dispensation in favour of auricular confession. Auricular confession as practised by these priests was part of a system which they were carrying on in their churches. In 1873, and again last year, he had called the attention of their Lordships to books of a nature similar to this; but when he expressed a hope that auricular confession would not become a practice in the Church of England, the fact that it existed at all was ignored by the right rev. Bench. He was anxious that a clause should have been introduced into the Public Worship Regulation Act to prevent the practice of it; but that course was objected to by the right rev. Prelate. He knew that the right rev. Prelate had much to contend against, or he might perhaps have acceded to the proposition. Last year he showed their Lordships that the right rev. Bench had promoted many clergymen whom they must have known practised auricular confession in their churches. There were many cases of curates, whose licences might have been suspended; but the right rev. Bench had declined to exercise their discretion; and he thought that some action on the part of the right rev. Bench was absolutely necessary if the practices of these priests were to be restrained. The practices were not local. They were extending throughout the length and breadth of England. He had recently heard from a gentleman who had come from Devonshire that they were becoming common in that county. In one or more of the churches in the diocese of London there were notices hung up that the church was open during certain hours on certain days of the week for confession and absolution. Objectionable as these practices were in the Church of England, they commenced with instructions to the young, even to children of seven years old, and those instructions were to be found in the book referred to by the noble Earl (the Earl of Redesdale). The contents of that and other books had shocked noble Lords, and if the right rev. Bench intended to assist in stopping the practice of the auricular confession they should let the clergy know that they would not give any preferment in their dioceses to those who carried on the practice.

THE EARL OF HARROWBY begged to express his thanks to the noble Lord who had brought this painful subject to the notice of the House. He had, indeed, indicated no remedy, and he (the Earl of Harrowby) did not see what

remedy Parliament could apply to this dangerous and widely-spreading disease of the encouragement and practice of auricular Confession in the Church of England. The Bishops had indeed condemned it, but their formal condemnation seemed to be little respected. He (the Earl of Harrowby) was, however, thankful to the most rev. Prelate (the Archbishop of Canterbury) for the suggestion of, perhaps, the best remedy that could be supplied—that social remedy of excluding from admission to their houses and family in succession all those who were known to practise this abominable system. The most rev. Prelate had expressed his belief that the number of the clergy who were thus infected was but small. True, the number whose names were recorded as belonging to this Society was but small—perhaps not more than 400—but they were men of influence—of widely-extended influence—and connected with places of education. Let them look at the names of those who were connected with the management of this Society, and see the importance of their action. He had in his hand an extract from *The Morning Post*, September 7th, 1876, which he would take the liberty of reading to their Lordships—

"A New Church Society.—A society has been established under the designation of the Holy Cross, to the membership of which only priests of the Church of England will be entitled. The Rev. A. H. Mackonochie, vicar of St. Albans, Holborn, is the Master, and he is assisted by four vicars, who, with the treasurer and secretary, are elected for the Master's Council. On this Council seats are occupied by the Rev. Dr. Littledale, the Rev. A. H. Stanton, of St. Albans; the Rev. C. F. Lowder, vicar of St. Peter's, London Docks; the Rev. H. D. Nihill, of St. Michael's, Shoreditch; the Rev. F. Murray, rector of Chiselhurst; the Rev. R. R. Bristow, vicar of St. Stephen's, Lewisham; the Revs. Messrs. Courtenay, Parnell, Nicholas, and others. The Master will be assisted by the Rev. W. H. Hutchings, sub-master of the House of Mercy, Clewer, the Rev. Orbey Shipley, and others, as assessors. The Tract Committee consists of Dr. Littledale, Mr. Nihill, and Mr. Bristow. Mr. Murray will direct his especial attention to the subject of "Retreats." The Foreign Mission Committee is composed of the Rev. A. Tooth, vicar of St. James's, Hatcham; the Rev. W. Field, of Lancing College, St. Nicholas; and the Rev. A. Pixell. The theological lectures will be arranged by Mr. Bristow, and there will be committees for the affiliation, for guilds, and other matters of importance."

Their Lordships would have observed some well-known and influential names. Let them look at the name of Clewer. His own attention was attracted by that of the Rev. W. Field, one of the masters of the College of Lancing, an institution which was aiming at getting hold of the education, especially of the middle classes, through the influence of Canon Woodward, and had extended its operations successfully over his own county. The laity must do their part; but their Lordships, the Bishops, must do their part also. They must watch over these educational institutions, whether for the clergy or the laity, over which they had control, or where their position gave them influence. It was not enough to denounce these practices in formal declarations; they must practically discountenance them in all their relations with their clergy, in their ecclesiastical patronage, in their theological Colleges, and in the public schools, to which they gave their sanction. This auricular Confession, which was now creeping in, was indeed a pertinent heresy, worse, practically, than many that had received that title. If the expression was strong, it was fully warranted by the expressions employed by a noble Marquess (the Marquess of Salisbury) in a former debate in that House. He had copied the passage from *Hansard*, and would take the liberty of reading it to their Lordships—

"Among the English people generally, among thinking men, there is no difference of opinion upon this question of habitual confession. We have seen it tried in other countries. It was tried in olden time in our own. We know, that besides its being unfavourable to that which we believe to be Christian truth, in its results it has been injurious to the moral independence and virility of the nation to an extent to which probably it has been given to no other institution to affect the character of mankind. I believe that if there are men in this country, who think they will ever persuade the English people to adopt the practice of habitual confession, they are proposing the most chimerical and the wildest scheme that ever entered into the heads of any men. No doubt, our Church does not encourage habitual confession, and that practice is opposed to the religious convictions of the English people. But it is not only a religious question. It so happens that this practice is deeply opposed to the peculiarities and idiosyncrasies which have been developed among the English people ever since they became a free people. The English people are specially jealous of putting unrestricted power into the hands of a single man. More than any other system, the practice of habitual confession does put unrestricted and irresponsible power into

the hands of a single man. An Englishman values and cherishes the private independence of his family life; he looks with abhorrence upon any system that introduces another power into that family life, that introduces a third person between father and daughter, and husband and wife. I believe that these reasons, apart from religious doctrine, have such powerful influence upon the English people that it would require the very strongest conviction of a positive revelation to induce them to conform to a practice which is so utterly opposed to their habits and feelings."

If the noble Marquess's description of the practices in question were correct, no steps could be too strong for stopping this pestilence, which threatened to invade the sanctity of our homes and to destroy the character of our people.

THE COLONIAL OFFICE — MR. W. W. WOODS. MOTION FOR PAPERS.

LORD O'HAGAN rose to call attention to the claims of Mr. W. W. Woods, who, having been in the public service for a long series of years was, as a reward for his services, transferred from the Treasury to the Colonial Office, as sub-Librarian, with a salary of £400 per annum, with a view to his obtaining the appointment of Librarian, which it was supposed would shortly become vacant, and which carried with it a salary of £600, increasing to £800 per annum. Shortly after he left the Treasury, the post he had occupied in it became of considerable value, while the office of Colonial Librarian was abolished; and thus, Mr. Woods, after having been a faithful and energetic public servant for 50 years, was now left with a salary of only £450, without hope of further promotion. Mr. Woods had, in this manner, lost the promotion he would otherwise have had if he had remained at the Treasury; and he now claimed to be put in such a position, as to remuneration, as he would have been entitled to if he had remained at the Treasury. In these circumstances, he begged to move for Copies of all Correspondence between Mr. W. W. Woods, the Treasury, and the Secretaries of State for the Colonies, in the hope that justice would be done to this gentleman.

Moved that an humble Address be presented to Her Majesty for, Copies of or extracts from all correspondence between Mr. W. W. Woods, the Treasury, and Secretaries of State for the Colonies, on the subject of his claims.—(*The Lord O'Hagan.*)

THE EARL OF CARNARVON said, that this was a case of more than usual difficulty; and, in some of its features, he scarcely remembered a parallel since he had been in Parliament. The reply to the noble and learned Lord should perhaps rather have come from the Treasury than the Colonial Department. The facts were no doubt such as had been stated by the noble and learned Lord; but he could not assent to the production of the entire Correspondence for State reasons. The facts were briefly these, that in 1859 Mr. Woods—who had served for some years in the Treasury, was transferred to the place of sub-librarian at the Colonial Office, no doubt, with the distinct expectation that he should succeed in due course to the office of Librarian. He had accepted, though reluctantly, the decision at which the Treasury had arrived with reference to the claims of Mr. Woods; but while he said that, he must also state that he thought that gentleman had been singularly ill-advised in the course he had adopted. He held in his hand—and he observed that other noble Lords were in possession of a similar document—a publication with reference to the case which should never have emanated from any one who had been engaged in the Public Service. The document to which he referred was to all intents and purposes a pamphlet, though it had not been placed on the bookseller's counter, and it embodied the Correspondence which had passed between the Colonial Office and the Treasury on the subject. Not only so, but it contained certain Minutes which were never intended to see the light, and which no one who had experience of Public Offices should have thought of putting in print as had been done in the present instance. He could not express too strongly the censure which he desired to pass on conduct such as this—conduct which, if repeated, would necessitate the whole system of the Public Offices being re-organized, and re-organized not upon that basis of confidence which had hitherto obtained, but upon distrust and suspicion. Having thus expressed his conviction that Mr. Woods had violated the rules of official duty in the course he had taken, it only remained for him to say that he should raise no objection to produce copies of, or extracts from, the Correspondence to which the Motion of

the noble and learned Lord referred, but that he could not include in that production any copy of the Minutes to the publication of which he had taken exception.

THE EARL OF KIMBERLEY said, that while he thought the case was one in which something might be done by the Treasury to alleviate the disappointment from which Mr. Woods had suffered, he entirely agreed with the noble Earl (the Earl of Carnarvon) in thinking that a grave breach of official discipline had been committed by the publication of the documents to which reference had just been made.

LORD O'HAGAN said, that while he had thought it right to bring the case of Mr. Woods before the House, he concurred in thinking that that gentleman had acted very injudiciously in printing the documents, the publication of which the Secretary for the Colonies had justly condemned.

Motion *agreed to.*

THE NOBILITY OF MALTA.

QUESTION.

VISCOUNT SIDMOUTH asked the noble Lord the Secretary of State for the Colonies, Whether he will lay on the Table of the House the Correspondence that has passed since the close of the last Session of Parliament to the present date between the Colonial Office, the Governor of the Island of Malta, and the members of the Maltese Nobility, relative to certain grievances of which the last-named complained?

THE EARL OF CARNARVON said, that the reason why Papers on this subject had not as yet been presented, was because the Correspondence to which the Question of his noble Friend referred had not been completed. He was unable to say definitely when he would be able to produce that Correspondence; but he hoped that in a month or six weeks, the matter would have reached such a stage that he could lay the Papers on the Table. The question upon which they bore arose out of the recent visit of the Prince of Wales to Malta; and the principal point at issue was whether the Maltese Nobility should, upon such an occasion, walk in public procession before or after the Representatives of the Chamber of Commerce. Upon this particular point he had given a decision which, he hoped, would be so far satisfactory to the Maltese Nobility; and that was, that he agreed to their taking precedence, on any occasion of the kind, of the Chamber of Commerce, in accordance with a course which had been sanctioned by Sir Henry Stokes when he was Governor of Malta. A list of those who claimed the privilege in question had been furnished; but it gave rise to questions which a Commission—of which two learned Judges were among the Members—had been appointed to determine, and the inquiry was now proceeding. Their Report when received would be included in the documents to be produced. He was extremely desirous that the Maltese Nobility should be declared entitled to privileges which they very naturally highly valued.

TRADE MARKS BILL [H.L.]

A Bill for extending the time for the Registration of Trade Marks, in so far as relates to Trade Marks used in Textile Industries—Was *presented* by The LORD CHANCELLOR; read 1ª. (No. 106.)

FISHERIES (OYSTERS, CRABS, AND LOBSTERS) BILL [H.L.]

A Bill to amend the Law relating to the Fisheries of Oysters, Crabs, and Lobsters, and other Sea Fisheries—Was *presented* by The Lord ELPHINSTONE; read 1ª. (No. 108.)

House adjourned at Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 14th June, 1877.

MINUTES.]—SELECT COMMITTEE—Irish Land Act, 1870, Mr. Mulholland *discb.*, Sir John Leslie *added*; Parliamentary and Municipal Elections (Hours of Polling), Sir Charles Mills *discb.*, Mr. Puleston *added.*

PUBLIC BILLS—*Second Reading*—Building Societies Act (1874) Amendment * [188].

Committee—Report—Pier and Harbour Orders Confirmation (Nos. 1 and 2) (*re-comm.*) * [125 and 196].

Considered as amended—Prisons [121]; Universities of Oxford and Cambridge [183].

Withdrawn—Peerage of Ireland * [81].

PRIVATE BUSINESS.

—:o:—

METROPOLITAN STREET IMPROVEMENTS BILL (*by Order.*)

CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill be now considered."—(*Sir Charles Forster.*)

SIR SYDNEY WATERLOW said, it was intended to propose that the Standing Orders should be suspended in order that the Bill might be read a third time to-morrow. He thought Consideration of the measure should be postponed for some days, in order that hon. Members might have an opportunity of forming an opinion as to whether there should not be introduced into it—although it was a Private Bill—clauses of a similar description to those which had been inserted by Parliament in the Artizans' Dwellings Act of 1875, with reference to providing accommodation for the working classes who would be displaced. A very large number of persons would be unhoused by the carrying out of the improvements which the Bill contemplated, and under its provisions nothing like adequate accommodation would be afforded to those who would be so displaced. A sufficient number of houses should be built for the working classes in lieu of those which would have to be taken down. He moved that the Consideration of the Bill be postponed to Tuesday next.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon Tuesday next."—(*Sir Sydney Waterlow.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR JAMES M'GAREL-HOGG said, that to delay the Bill, as the hon. Baronet appeared to desire, would be equivalent to rejecting it altogether. Unless a Bill of that kind were read a third time before a certain day, according to a Standing Order it could not be proceeded with that Session. The Bill in question had received the assent of a Select Committee, and care had been taken that no injury should be inflicted by it to the working classes without providing a remedy. The Home Secretary had approved of the scheme, and felt satisfied that the parties who should be compelled to remove from their present holdings would be amply provided for by the substitution of new and approved dwellings for them before the year 1878.

MR. PORTMAN said, the Committee on the Bill, over which he had the honour to preside, thought it right to present a special Report to the House. They thought the providing of accommodation for the people who would be turned out by these street improvements ought not to be left to private speculation. The improvements under this Bill were calculated to confer the most beneficial and lasting advantages on the public generally; and though there was no obligation to cover the sites of the dwellings which would be removed under it with houses of a similar character to those demolished, there was ample security given for the erection of dwellings of a new and improved character in lieu of them.

MR. ASSHETON CROSS said, he hoped the Amendment would not be pressed. The improvements which the Bill contemplated were of an important and substantial character; and if its progress were obstructed at the present stage he was afraid it would not become law this year at all. He quite agreed that provision ought to be made for securing accommodation for those persons who would be turned out of their dwellings, and who could not secure accommodation for themselves; and when the measure reached the House of Lords the Government would, if necessary, cause the insertion of provisions for the protection of those of the working classes who might be displaced in consequence of the improvements being carried into effect.

SIR SYDNEY WATERLOW said, that upon that understanding he would withdraw his opposition to the Bill being proceeded with.

SIR JAMES M'GAREL-HOGG, on behalf of the Metropolitan Board of Works, was prepared to accept any clause for the better protection of the working classes which the Home Secretary might deem requisite.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill *considered.*

Ordered, That Standing Order 243 be suspended, and that the Bill be read the third time To-morrow.—(*Sir Charles Forster.*)

QUESTIONS.

PUBLIC HEALTH—VACCINATION.

QUESTION.

MR. P. A. TAYLOR asked the President of the Local Government Board, Whether it is true that a boy, named Thomas Taylor, was certified by an Ipswich surgeon as having been successfully vaccinated by him on 20th May 1868; whether this boy was not returned by the Ipswich medical officer as having died of small pox in the Borough Fever Hospital on the 7th April 1877 unvaccinated; and, whether he will cause inquiry to be made into the circumstances?

MR. SCLATER-BOOTH: I have made some inquiry into this case, and I find that according to the Vaccination Register, it is the fact that the boy in question was certified to have been successfully vaccinated by an Ipswich surgeon on May 20, 1868. He died in the borough hospital on the 7th of April, 1877, of small pox, and the medical officer in attendance certified that he was unvaccinated—first, because there were no vaccination marks to be seen; secondly, because the mother stated that the boy had been vaccinated three times by the assistant of Mr. Adams, but unsuccessfully. The mother is very positive in her statement as to the vaccination not having been successful; in this she is corroborated by a neighbour who remembers the circumstance. It is not easy to explain the discrepancy between the entry in the Vaccination Register and the facts which have now been ascertained; but the vaccination occurred before the Act of 1871, when certificates were sometimes given without inspection of result.

LEGAL BUSINESS OF THE GOVERNMENT—REPORT OF THE DEPARTMENTAL COMMITTEE.—QUESTION.

MR. SERJEANT SPINKS (for Sir HENRY HOLLAND) asked the Secretary to the Treasury, What steps, if any, have been taken to give effect to the Reports of the Departmental Committee on the system upon which the Legal Business of the Government is conducted?

MR. W. H. SMITH: The Reports of the Committee, three in number, are divisible as follows:—1. Relating to the remuneration of the Law Officers. The recommendation of the Committee have been generally adopted. A new Treasury Minute amending the definition of "contentious business," as suggested by the Committee, has been issued, and the more comprehensive definition has had the effect, as was contemplated by the Committee, of obviating some questions between the Law Officers and the several Government Departments. 2. (Reports 2 and 3.) Relating to the legal business of the several Government Departments. Of the several Departments reported on by the Committee, the following were the subject of special recommendations:—Office of Works, War Office, Admiralty; while it was suggested that, on the occurence of a vacancy in the office of Queen's Proctor, the business should be transferred to the Department of the Solicitor of the Treasury. The recommendations of the Committee with respect to all the above-mentioned Departments have been carried into effect. The Solicitorships of the Office of Works and of the Admiralty, and the Assistant Solicitorship of the War Office have been abolished, and the Treasury Solicitor has been appointed Queen's Proctor, in which capacity he conducts all the business relating to the administration of the personal estates of intestates, as well as the duties imposed on that officer by statute in reference to intervention in Divorce matters. The financial results of the above change are as follows (omitting the results in respect of the Queen's Proctor's business, as sufficient time has not yet elapsed to test the financial working of the new arrangement, the late Queen's Proctor having been remunerated by bills of cost, not by salary):—Under the old system the legal Staff of the Office of Works cost, for salaries only, £2,985; War Office, £2,850; Admiralty, £2,900—£8,735. The legal work of the above Departments is now transacted in the Department of the Solicitor to the Treasury at a cost of £6,000, showing a saving of

£2,735, or over 30 per cent. The above comparison is limited to salaries only. There is, however, little doubt that the concentration of the above legal business under the Treasury Solicitor will lead to a reduction in the ordinary legal charges.

FOOD AND DRUGS ACT, 1875—REDUCED SPIRITS.—QUESTION.

MR. ISAAC asked the President of the Local Government Board, Whether sub-sections 1 and 4 of Clause 6 of "The Food and Drugs Act, 1875," would not exempt from penalties persons selling Spirits reduced with water in the natural and customary course of trade, and without fraud to the purchaser; whether he is aware that prosecutions have recently taken place for reducing Gin by its admixture with water; and, whether, inasmuch as in such case no fraud has been practised or intended, and the sales of Gin so reduced have been made at a lower price, such prosecutions are in accordance with the intentions of the Act; and, whether, if there exists any doubt as to the interpretation of the Act, he is prepared to introduce an amending Bill to exempt from penalties persons who sell Gin reduced with water, and not otherwise adulterated?

MR. SCLATER-BOOTH: In reply to the first Question of my hon. Friend, I may say that if the water is added for the preparation of the gin as an article of commerce in a fit state for consumption, the 1st sub-section applies and no offence is committed; and, so far as in the process of distillation a certain amount of water remains mixed with the spirit, the provisions of sub-section 4 would likewise apply in bar of a prosecution. I am aware that certain prosecutions have recently taken place, and several cases have come before the Judges. The case of "Pashler *v.* Stevenitt" came before the Judges of Appeal on the 27th ultimo. In that case it appeared that the Justices in Petty Sessions held that gin at 44 per cent below proof could not be considered as gin, and the Judges held that the seller was properly convicted. It appeared that gin sold by retailers varies in strength from proof to 20 per cent under proof. The Judges held that the question was one for the magistrates, who must use their discretion on the facts before them, and that they had rightly decided that a mixture of water so far as 44 per cent below proof was a fraudulent increase of the measure of the liquid. A decision reported in to-day's newspapers is to the same effect. In reply to my hon. Friend's third Question, I cannot but hope that the effect of these decided cases will be to put an end to any uncertainty as to the interpretation of the Act, if such exists, and I am certainly not prepared, as at present advised, to introduce any amending Bill on the subject.

ARMY — REGIMENTAL LIEUTENANT COLONELS.—QUESTION.

MR. KAVANAGH asked the Secretary of State for War, Whether he has any intention of making any change in the rule which compels the Lieutenant Colonel of a regiment to retire after having held the command of it for five years?

MR. GATHORNE HARDY, in reply, said, the rule referred to, which had been laid down by his Predecessor, had been recently acted upon, and there was no intention of relaxing it.

CRIMINAL LAW—PRISON AND REFORMATORY LABOUR.—QUESTION.

MR. JACOB BRIGHT asked the Secretary of State for the Home Department, Whether it has come to his knowledge that a firm of brushmakers in Bristol have given notice of a reduction of 10 per cent in the wages of their workpeople, in consequence of the competition of prison and reformatory-made brushes in that town?

MR. ASSHETON CROSS, in reply, said, he had received no complaints upon this subject, and therefore had not made inquiries into it; but he did not think there could be the slightest truth in it, as the last Report he had from the Bristol Reformatory was to the effect that the whole amount of work then going on in this trade was equivalent only to that of four men and nine women working full time. He did not see how this could involve any interference in the trade.

MERCHANT SHIPPING ACTS — DECK CARGO SPACE.—QUESTION.

MR. GRIEVE asked the President of the Board of Trade, If his attention has been directed to an article in the "Scotsman" newspaper of the 11th instant as follows:—

"On the arrival of the ship "County of Lancaster" at the Tail of the Bank, Greenock, with a cargo of sugar from Java, the Customs officials, in making out the vessel's return, added to the tonnage of the ship 2 84-100ths tons to the gross register in consequence of the vessel carrying on deck two spare spars, a hen coop, and two beef casks, while another section of the Merchant Shipping Act provides that a ship is not seaworthy unless she has two spare spars;"

and, whether the Government intend during next Session of Parliament to consolidate the Merchant Shipping Acts, with a view to do away with the anomaly and many others complained of?

SIR CHARLES ADDERLEY: I do not see *The Scotsman*, and, therefore, have not seen the article referred to; but I should have been very happy to see the hon. Member, if he has any case to allege of mistake made in measuring deck cargo space. There have been cases in the Clyde, of which the *County of Lancaster* seems to have been one, in which the space occupied on deck by hen coops, beef casks, and live animals for consumption, and spars, have been included in such measurement; and they have been referred by the Board of Trade to the Board of Customs, whose officers measure those spaces. The Board of Trade have laid down, by instructions to their principal officers, that store spars should be regarded as equipment, and the space they occupy should not be measured as deck cargo space. There is no such section in the Act of last year as stated in the Question, nor any anomalies complained of calling for amendment or consolidation of the Merchant Shipping Acts.

HIGH COURT OF JUSTICE—MR. JUSTICE FRY'S COURT.—QUESTION.

MR. DALRYMPLE asked the First Commissioner of Works, If his attention has been called to the place which under the arrangements of the High Court of Justice, Chancery Division, is used as a Court by Mr. Justice Fry; and, whether it is intended that it should be occupied after the present term and during the winter?

MR. GERARD NOEL, in reply, said, the arrangements by which Mr. Justice Fry's present Court was provided were made by the Office of Works after communication with the Lord Chancellor. Although it was not so large as some of the others, it was well lighted and ventilated. Objection had been taken by the learned Judge to the retiring room, and the question of providing a new retiring room was under consideration. There was no intention of removing Mr. Justice Fry to any other place.

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.

QUESTIONS.

MR. RICHARD SMYTH asked Mr. Chancellor of the Exchequer, Whether, as the Select Committee appointed at the instance of the Government, to whom the Sale of Intoxicating Liquors on Sunday (Ireland) Bill was referred, have reported in its favour, the Government are prepared to take the necessary steps for carrying the Bill through its remaining stages during the present Session of Parliament?

MR. M. BROOKS asked Mr. Chancellor of the Exchequer, If his attention has been directed to the changes in the form and essence of the Sale of Intoxicating Liquors on Sunday (Ireland) Bill, made by the Select Committee to whom the Bill was referred; if he is aware that Notice has been given to move that the Amendments made by the Select Committee to whom the Bill was referred, and especially the alteration in the Preamble of the Bill, not being warranted by the powers entrusted by this House to that Committee, the Bill be re-committed to the Select Committee, in order that they may confine their Amendments within the powers entrusted to them by this House; and, if under these circumstances the Government will afford facilities to the Select Committee for re-considering the said Bill?

THE CHANCELLOR OF THE EXCHEQUER: The Government are well aware of the interest with which this Bill is regarded by Gentlemen connected with Ireland, representing various interests in that country, and sitting in different parts of this House; and having regard to all that has passed with regard to this measure, it would be a matter of

great satisfaction to the Government if they could see their way to its being disposed of in the present Session of Parliament; and, so far as it may be in our power, we should all be glad to assist in bringing about that result. But I must take this opportunity of reminding the House of the position in which we stand. We are now far advanced in the Session. If I were to say that we probably have not more than two months of the Session left, I dare say I should hear a murmur at my even mentioning so long a time; but we are far advanced in the Session, and it cannot be denied that the ordinary Business of the Session is somewhat in arrear. Now with regard to the Business of the Session I must remind the House—without wishing to make anything in the nature of a complaint, which I have no right whatever to do—that in the present Session a much longer time than usual has been spent in the discussion of Business which in most Sessions with which we have been acquainted has been got through with greater rapidity. Bills—and some of them annual Bills—have been discussed much more fully than is usual, and many of the Votes in Supply have also given occasion for much fuller discussion than we have ever known. Nobody can dispute the perfect right of Members of this House to discuss these matters; but the effect of their doing so to the extent to which it has been done in the present Session is to place us at the present moment in a position of some anxiety as to the time within which we can properly get through the necessary Business of Parliament. I can hardly say at this moment, therefore, how far we shall be able to afford days for Business which does not properly belong to the Government measures. We shall have, of course, to get through with Supply. We have certain Bills which have been brought in by the Government, and which are tolerably advanced, but still which must be pressed on if they are to be considered by the other House before the conclusion of the Session; and I am still unable to say how far it may be in our power to dispose of Government nights for the discussion of measures brought in by hon. Gentlemen who are not Members of the Government. I look at the position of this particular Bill, and I see, in the first place, that it has gone through a Committee, but it has come down in an altered shape. It has come down with alterations which, I believe, were carried in the Committee by majorities, and some portions of which I believe were carried against the advice of Members of the Government who were parties to that Committee; and I see that Notices have been given of Amendments on the Bill in Committee, and no less than five Members have given Notice of objections to be raised on the Motion being made that you, Sir, leave the Chair. The hon. Member for Dublin has just called attention to one important question which is to be raised when the Bill is proposed to be again taken in Committee; and without expressing—for I am not able to express—any opinion upon the question which the hon. Gentleman raises as to the propriety of the Amendments that were made, I think it is obvious that the Bill will lead to considerable discussion. Well, that being the case, I must at the present time ask the hon. Member to excuse me giving a definite answer to the Question which he has put. I am, as I said, anxious to do anything I possibly can to facilitate the discussion of this Bill; and if we should have the assistance of the House generally in getting on with the Business which yet remains before us, we shall be better able to meet the wishes which we know are widely entertained on both sides of the House with regard to this Bill; but the matter really does not entirely rest with ourselves. It is not from any unwillingness on the part of the Government to allow the proper discussion of the Bill; but we feel ourselves so very much in the hands of hon. Members with regard to the transaction of the necessary Business of the Session, that I do not like at the present moment to take upon myself the responsibility of making a promise which, from no fault of our own, we might hereafter find it difficult to fulfil.

MR. RICHARD SMYTH: I would ask the indulgence of the House while I make a statement, in consequence of the exceedingly unsatisfactory answer of the right hon. Gentleman. I shall put myself formally in Order by concluding with a Motion. I submit to the House that it is altogether too late for the Government to assume a passive attitude, and to manifest a spirit which is practically one of utter indifference to the fate of

this Bill during the present Session. ["Order!"]

MR. SPEAKER: By the Rules of the House the hon. Member is not at liberty to discuss the Bill upon the Question now before it.

MR. RICHARD SMYTH: I bow to your decision, Sir, and shall confine myself to the question of procedure. I shall not go back on previous Sessions; but I must ask the House to consider what was done immediately after the meeting of Parliament in the present year. I moved the second reading of this Bill on the 12th of February—the Government having previously opposed the principle of the Bill most strenuously, and taken the most emphatic way of expressing their hostility. ["No, no!"] Well, the Lords of the Treasury were the Tellers in a division on this question, and I do not know that the Government can resort to a more emphatic expression of opinion than by such a course as that. In this Session the Government changed their position, and supported the second reading on a certain condition, which was that the Bill should be referred to a Select Committee, and that certain special questions should be referred to that Committee—namely, the applicability of the Bill to five large cities and towns in Ireland. The general principle of the Bill being conceded by the Government, as undoubtedly their action in the division put beyond a doubt, the promoters of the Bill assented to the proposal of the Government; and I felt that the friends of the measure had ceased to ask the Government to follow them, and that they then became the followers of the Government, because the Government had propounded a definite and positive policy of their own, for which they made themselves responsible. The idea of a Select Committee did not originate with us, but with the right hon. Baronet the Chief Secretary for Ireland. He made this proposal, and we merely acceded to it. I have a right to ask, therefore, was that proposal on the part of the Government a friendly or was it a hostile proposition? I went into the Select Committee determined to abide by its decision; and I say now openly in the presence of the right hon. Baronet and the House that he knew that was my resolution long before the decision of the Committee was given, and at a time when I believed that the decision would be contrary to my own views and opinions. Inasmuch as those who previously acted with me went into that Committee in good faith, I think I have a right to ask the Government as far as is in their power—and they have it in their power—to carry out the decision of the Committee. No doubt I was very simple in believing that a Select Committee was to be treated as a sort of tribunal to give judgment on the question referred to it. I find now that, instead of being regarded by the Government as a tribunal in any sense, it has been used to act as a break on the wheels and to stop the train altogether. The Report was made on the 10th May. Why did the Government take away three months from the chances of the measure? What right had they to interpose on the 12th February, so that through the whole of the next three precious months we could not press it through the House? The Bill has many Friends on both sides of the House, and I think the experience of last year will justify me in the statement that if I had had those three months at my disposal, I should have made way in passing the Bill through several of its stages. ["No, no!"] Well, no one can speak with certainty of anything likely to occur in the House of Commons. This time last year, at a very late period of the Session, I got 15 Members to make way for this Bill. Now, I may ask this question—Did the Government recommend the appointment of a Select Committee for the purpose merely of registering a foregone conclusion of their own, because it seems to me that it does not make the slightest difference as regards the duty of the Government whether the Committee reported in favour of the opinions of the Government or in favour of those who supported the original measure. If the Government recommended the Committee merely to register their own opinions, it may be statesmanship; but with every-day people in the outer world it would be designated by a very different name. I submit that this is not a question between the Government and a private Member. The House of Commons by adopting the principle of the Bill by a majority last year, took it out of the hands of private Members, and the Government, by its action this Session, took it out of the hands of the House of Commons, and the Government has now to

reckon, not with those whose names are on the back of the Bill, but with the House of Commons itself. It is gone entirely beyond being the Bill of a private Member, and I think it is not competent—I use the word with reference to the wisdom and prudence involved—it is not competent now for the Government to wash their hands of the whole thing, to turn upon me, and to say—"We have taken three months from you. The whole future is before you. As for us, we discharge ourselves of our responsibility for the measure." I ask the House whether that is the position the Government is entitled to take? I understand and believe—for I have it on the best authority—that the Irish Conservative Members, almost in a body, have gone the length of imploring the Government to take up and settle this question; and I understand that those Gentlemen from Ireland who are the supporters of the Government in this House have been unceremoniously sent about their business, and practically told not to interfere. I should have thought they might have had influence with the Government; but, unfortunately, there is this flaw in their case, that they are Irishmen as well as Conservatives. I must apologize to the House for having interposed so long; but I have only to add that whatever respect I have for the Gentlemen who occupy the Treasury benches, I with still greater confidence make my appeal from them to the justice and generosity of the House of Commons itself. I move that the House do now adjourn.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Richard Smyth.*)

MR. GLADSTONE: I am very reluctant to speak on one of these Motions which tend to delay the regular Business, but I am desirous to say a very few words, and I wish to say them early because, while I would make a strong appeal to my right hon. Friend opposite and the Government, I am still able to bear testimony to the difficulties under which he labours. These are not difficulties merely put forward for the sake of making an excuse or of fencing with the question. They are real; and all those who have been closely concerned in carrying on the Business of this House, although they could not be at all surprised at a small degree of impatience on the part of my hon. Friend who is so devoted to this measure, yet they know likewise that it is not an easy matter for a Government to balance together, especially at a certain period of the Session, the various considerations which determine their duty in the choice of this or that particular measure to be submitted to the House. We are undoubtedly, however, approaching that period of the Session when the power of the Government over the time of the House will be increased. I do think that there are some special considerations which I hope will lead my right hon. Friend and the Government to consider this question as a special one; and I may mention them without any reproach, although they are directly connected with the conduct of the Government itself. This is a very peculiar measure in respect to its representing a very extraordinary union of opinion and sentiment in Ireland; but I will not dwell upon considerations which will occur to the mind of every man as giving very great force to the plea that on account of that union of sentiment we should view favourably the demand that was made for the progress of this measure. Now, what is the demand made of my right hon. Friend? As far as I understand, my hon. Friend (Mr. Smyth) is himself willing to use every exertion that he can use, and all the time that as a private Member, favoured in some respects by such large support from various quarters he can procure, he is most willing to exert himself in procuring. Therefore, he does not endeavour to throw the whole difficulty of pushing forward this measure upon the Government; but my hon. Friend knows quite well that his resources in that respect are essentially limited resources; and where there is a keen opposition to a Bill, even though it be an opposition within a very narrow circle, the Members of the Government know perfectly well that the vigour and persistence of that opposition very much depends upon their knowing or not knowing that the promoters of the Bill have but limited resources at their command. Now, what occurs to me is this. This is one of the cases in which the Government has seen cause to change its course, and I do not think they are open to any reproach whatever for having thought so, or for having opposed this Bill at the outset if

they thought, as they did, that it involved questions of difficulty connected with the peace of Ireland and with the tranquillity of the great towns; but, as a matter of fact, having offered it a strenuous opposition in the first instance, they must see that they gave a much greater importance and weight to the general opposition to the Bill than it could possibly have acquired unless they had themselves shared in it. Now, my recollection of former practice is that where a Government has seen cause to alter its course in such a manner upon a particular Bill, and when they themselves, by taking a marked share in the proceedings upon the Bill, have stamped it as a measure of very great importance, it no longer remains to them to be neutral parties about that Bill. If they do not persist in their opposition, but arrive at the conclusion that it is better upon the whole that the Bill should be passed and the experiment tried; if, even further than that, they indicate and exercise an influence upon the course of proceedings with respect to the Bill, and if the effect of their conduct is to deprive my hon. Friend behind me of the disposal of the principal portion of the Session during which he might in all likelihood have pushed his Bill forward to a successful issue, and to bring him to the latter part of June before he is in a position to attempt it—what I wish to press upon my right hon. Friend opposite is, that the claim which thus arises is a claim of a very special character; and I am inclined to believe that if he does so regard it, and is willing to make an addition from his own larger resources to the smaller means of my hon. Friend, then in all probability there will be no undue attempt to obstruct the passage of the Bill through the House. I am bound to say that I think Her Majesty's Government are not bound to regard the decision of the Committee as a final decision upon any serious matters with regard to which they differ from the Committee. If they think fit to raise and submit for the judgment of the House questions upon which the Committee did not agree with them, it does not appear to me that they are acting in any degree beyond the fair exercise of their discretion. Still, I think even that again strengthens their obligation, if I may presume to say so, to prevent the renewed failure of this Bill after those many failures that have occurred through want of time. I venture to commend these considerations to the minds of my right hon. Friend and the Government, with the hope that the result will be such as will be satisfactory to my hon. Friend.

MR. O'SULLIVAN wished to state that he had not been sent to that House to represent either Whigs or Tories, but to represent the people. He was sent there, perhaps, by the largest majority that ever returned any man in Ireland, and he was determined to oppose the Bill in every way in which the Forms of the House would permit, because it was a measure which interfered with the rights and liberties of the working classes in Ireland.

MR. SPEAKER reminded the hon. Gentleman that he was out of Order in discussing on the Motion before the House the merits of the Bill.

MR. O'SULLIVAN said, as the hon. Member for Londonderry had discussed the merits of the Bill, he did not think he was out of Order in doing the same. Still, he would bow to the Speaker's decision. He would like to add that the object of the hon. Member for Londonderry in moving the Adjournment of the House was not to adjourn the House, but to elicit an opinion in favour of the Bill, and to force the House into a false position on its merits. The House had before decided on the Bill, and he (Mr. O'Sullivan) could assure the House that a greater delusion was never brought before it than to attempt to make it appear that the people of Ireland were in favour of it.

DR. CAMERON said, the observation of the Chancellor of the Exchequer that the Bill had been altered in Committee was not strictly correct. The point was whether the Bill should extend to certain large towns. As it went into the Committee it extended to all those towns which the Chancellor of the Exchequer wished should be excluded from its operation. In other words, the Government wished to modify the Bill from the shape in which it had passed the House on the second reading, while the Committee resolved upon retaining it in the form in which it had passed the House. Might not the present difficulty be met by the Government fixing a Saturday for the consideration of the Bill? ["No, no!"] He fully sympathized with the hon. Gentlemen who

cried "No, no;" but if they sat as long on the Committee as he did, they would entertain a different opinion.

MR. M. BROOKS wished, as a Member of the Committee, to point out that the Bill in its present shape was not at all the same measure which was referred to them by the House.

MR. SPEAKER said, the hon. Member was not in Order in entering into a discussion of that question.

THE CHANCELLOR OF THE EXCHEQUER: I beg to make an appeal to the House to allow us to get on with our Business. A good deal has been said about the Bill before us which, under other circumstances, might have been worthy of consideration; but I think it will be admitted that the real difficulty which lies in the way of our acceding to the request now made is want of time. Hon. Members cannot fail to see this, and to remark that every half-hour unnecessarily spent over fruitless discussion will inevitably tend to increase that difficulty. With reference to the remark that has fallen from the hon. Member for Glasgow (Dr. Cameron), allow me to explain that when I referred to the changes made in the Bill, I did not so much refer to these changes as showing why the Bill should not be allowed to proceed, as to the very considerable time that would be occupied in getting the Bill through Committee in consequence of those changes. I admit there is a desire on the part of a majority of the Members of this House to discuss this Bill. Well, if the Government promise to do everything they can, there ought, I think, to be a similar desire manifested on the part of hon. Members. But the prospect, as I have admitted, is not encouraging, and every unnecessary consumption of time makes it more hopeless. I find by reference to the Orders that on Wednesday, the 27th of June, the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) has a Bill which stands first upon the list. Perhaps he may desire to assist the hon. Gentleman who introduced this Bill. Of course, I do not know what may be the feeling of the hon. Baronet the Member for Carlisle on this matter; but if he and the hon. Member for Londonderry would communicate with each other, they might strike out something between them. All I now ask the House to do is to allow us to go on with our Business. Only a few weeks remain to us, and it would be well for us to proceed with what we have to do in as businesslike a fashion as possible.

MR. JOHN BRIGHT: I, for one, Sir, do not want to waste the time of the House, yet I feel I must offer a single remark or two on this question. I do not think, from the tone of the observations of the right hon. Gentleman, that it is quite fair to charge him with being absolutely inaccessible to reason on this question. Perhaps he is willing to go even further. The Bill, I believe, only consists of six clauses, and it strikes me that so short a Bill, especially as it has the support of so large a majority, ought to be very soon disposed of. That majority would even be largely increased if the right hon. Gentleman would only give the Bill his support, and ask the House to unite with the Government in getting it carried. There are, it is true, a few Members from Ireland who are opposed to the measure; but even they, when they see the House is so unmistakeably in its favour, and that no hope of permanent obstruction to its progress need be entertained, would at once withdraw that obstruction. This is a question between the Government and the people of Ireland. As I understand it, the feeling in Ireland is unanimous in favour of the Bill. Only this morning I saw an extract from a Dublin newspaper—the only newspaper which has opposed this Bill—and I find that it has given up its opposition. It even goes further, and says that after the evidence given before the Select Committee, and the general opinion expressed in this House, the wisest course to adopt would be to pass the Bill at once. Seeing, then, that the Bill had received almost the unanimous support——

MR. A. MILLS rose to Order. He wished to ask the Speaker whether the right hon. Gentleman was not contravening the Rules of the House in discussing a measure which was not before it?

MR. SPEAKER: I am bound to say the right hon. Gentleman was exceeding the rules of Order.

MR. JOHN BRIGHT: I was referring to that point merely as an argument addressed to the right hon. Gentleman the Chancellor of the Exchequer, because I thought that he, as Leader of

the House and the Government, could not be insensible to the force of a consideration urged on behalf of the vast majority of the Irish people. But I do not wish to go further in that direction. I do think that the right hon. Gentleman would consult the character of his Government, the reputation—shall I call it?—of Parliament in Ireland, and the interests of the Irish nation in general, if he would give not an indifferent, but a hearty and cordial support to this measure. His Government is much more feeble than I take it to be if he cannot find some means by which this Bill may be disposed of this Session.

MR. CHARLES LEWIS said, it was perfectly well known to Members that the second reading of the Bill was carried by a majority of 171 to 23. The Select Committee was appointed to consider the applicability of the measure to some large towns, and by a majority of 9 to 7 the views of the Government were overborne.

MR. SPEAKER said, it was not competent for the hon. Gentleman to enter into a discussion of the proceedings in the Committee on the present Motion.

MR. CHARLES LEWIS said, he wished to testify to the strong current of opinion on the subject in the part of Ireland which he represented; and he wished to call the attention of the House to the fact that there was not only a reluctance on the part of the Government to give facilities for the carrying out of the measure, but that a word of sympathy or support had never been uttered. If the Government had promised to make a measure of the question next Session, he would have been content; but they had remained silent except on the *non possumus* theory, which was very unsatisfactory to most of their supporters in the North of Ireland.

MR. SULLIVAN wished to point out that if the remarks that the Chancellor of the Exchequer had just made were a premium upon obstruction, his hint would not be lost upon those 13 or 14 Irishmen who were against the Bill. He had said that if hon. Gentlemen would facilitate the Business of the House, they would consider how far they could assist in the passing of this Bill. The right hon. Gentleman had found that two Members could obstruct the Business again and again. Minorities had appeared upon this Bill of from 5 to 14, and it sometimes suited the policy of the Government to believe that these small minorities represented the people of Ireland. The Government were underrating the activity of the 13 who were against Sunday closing. They would be heard on the Prisons Bill and on many other Bills, with the understanding that if they were sufficiently obstructive, no facilities would be given for the passing of the Sunday Closing Bill. The reputation of the Government was at stake on this question. Were they going to force Sunday drinking upon the people for another year? He appealed to the Chancellor of the Exchequer to re-consider his decision; because if not, the minority of Irish Members against the Bill would take care that what he had suggested should be carried out.

SIR WILFRID LAWSON said, he rose with some fear, because after what had happened he supposed that he, too, would soon be called to Order. He would, however, do his best to keep in Order. The Chancellor of the Exchequer had very kindly and courteously recommended him to make some confidential communication to the Irish Members for the purpose of facilitating the passing of this Bill. Now, he would not hold a private communication with anybody outside that House. The right hon. Gentleman asked him whether he would give up his day for the discussion of the Permissive Bill in order to further the discussion on the Sunday Closing Bill for Ireland. Well, he would. [*Cheers.*] Gentlemen were cheering much too soon. He was determined to have his pound of flesh. He would only give up his day on condition that the Chancellor of the Exchequer would make the Irish Closing Bill a Government measure, and would use his influence to get it carried to the House of Lords in time for its full discussion. That, he thought, was a fair offer, and if the Government did not accept it, why then the House would have its own opinion about them. The question before them was not so much the Adjournment of the House, as whether this Bill was to be got through Parliament this Session or not, and whether, if it did not, Ireland was to be left for another year to endure all the horrors of the Sunday drink traffic. It was said that hon. Members from Ireland were unanimous

on this subject. Well, he heard of united Irishmen, but he never heard of unanimous Irishmen. He believed the Bill was opposed by the Chancellor of the Exchequer, the Chief Secretary for Ireland, and a few Irish Members only, whom he would call the Blue Book Brigade, inasmuch as they read Blue Books by the hour because they had no arguments to urge in support of their case. Those hon. Members with lip service declared their adhesion to Home Rule; but when their country was united on a great question they endeavoured, with the aid of the "Saxon oppressor," to fasten an evil system upon Ireland. All the hon. Gentlemen returned by Irish constituencies at bye elections during the past year had been in favour of the Sunday Closing Bill. He thought the House ought to take this measure into its own hands and endeavour to get it passed. Over and over again they had been told that if Ireland would only come to Parliament and demand a general measure which that country wanted, that measure would be granted. Could there be a stronger case than the present? Was it wise for them to ride off on a mere plea of delay? Were it a Coercion Bill it would be passed without trouble.

MR. SPEAKER reminded the hon. Baronet that he was out of Order in making these observations.

SIR WILFRID LAWSON said, he was extremely sorry he had got out of Order. He had expected that he should. He did not mean to discuss the Bill, but only to urge upon the Government the necessity of taking it up. A majority of the Irish publicans themselves were in its favour. He could, in fact, conceive of nobody who was opposed to it except the English publicans.

SIR JOSEPH M'KENNA pointed out that both the hon. Member for Meath (Mr. Parnell) and the hon. Member for Cavan (Mr. Biggar) were supporters of the Bill, and that they, at all events, would not throw any obstruction in its way. He believed the question of a Catholic University for Ireland was of more importance than this Bill, and if a day be set aside for any Irish measure, it should be for that object.

MR. MURPHY thought there was too much assumption in the statement that the unanimous feeling of the Irish people was in favour of the Bill. He himself represented one of the largest constituencies in Ireland, and he stated distinctly that the masses of the people for whose benefit the Bill was designed were opposed to it. He had as good a personal knowledge of the people of Ireland as the hon. Member, and he must say they were unanimously against the Bill. The appearance of a majority in its favour was owing to the organized exertions of a central committee which had ample funds at its command.

Motion, by leave, *withdrawn.*

MR. RICHARD SMYTH gave Notice that he would ask the Chancellor of the Exchequer whether he would afford him an early opportunity of moving—

"That this House is of opinion that it would be detrimental to the interests of the country to allow the question of the sale on Sunday of intoxicating liquors in Ireland to remain unsettled for another year."

CATTLE PLAGUE AND IMPORTATION OF LIVE STOCK.—QUESTION.

MR. STANTON asked the Under Secretary of State for the Home Department, Whether he has taken, or will take, any steps to provide that evidence may be laid before the Committee now sitting to inquire into the diseases of cattle, as to the condition and treatment of live animals on board the vessels employed to convey such animals to this country from the different ports in Ireland?

SIR HENRY SELWIN-IBBETSON: The Committee appointed by the Lord President in 1869 to inquire into the transit of animals by sea and land made certain recommendations, which were embodied in the "Transit of Animals Order, 1870," and continued in the consolidated "Animals Order, 1875." There are now five travelling Inspectors engaged in superintending the carrying into effect of the Regulations, as suggested by the Committee of 1873, and the best results have ensued. It is impossible entirely to prevent the suffering of animals during transit; but the condition of things is much improved, and under these circumstances it would hardly be advisable, unless further evidence of the suffering of these animals came to the notice of the Committee, to re-open evidence which was fully gone into by a previous Committee.

RUSSIA AND TURKEY—THE WAR—THE SUEZ CANAL.—QUESTION.

MR. GOURLEY asked Mr. Chancellor of the Exchequer, If he will be good enough to inform the House of the nature of the replies or communications received from Russia, the Porte, and the Khedive of Egypt relative to the intimation of Her Majesty's Government forbidding the exercise of belligerent rights on the Suez Canal during the continuance of the present war?

THE CHANCELLOR OF THE EXCHEQUER: The substance of the communication from the Russian Government is that they will neither impede nor interrupt the free navigation of the Suez Canal. No communication has been received from the Porte or from Egypt on the matter.

EGYPT—THE EGYPTIAN CORVETTE, "LATIEF."—QUESTION.

LORD ESLINGTON asked the President of the Board of Trade, If the Egyptian Government has rewarded the crews of two English ships for gallantly assisting an Egyptian corvette in distress?

SIR CHARLES ADDERLEY, in reply, said, that the Egyptian Government had placed in the hands of the Board of Trade the sum of £200 for the crews of the English ships *Agra* and *Myra*, in acknowledgment of assistance rendered to the Egyptian corvette *Latief* when on fire, on the 10th of March last, 50 miles off Suez; and he understood that they purposed some further reward to the officers.

ORDERS OF THE DAY.

PRISONS BILL.—[BILL 121.]

(*Mr. Assheton Cross, Sir Henry Selwin-Ibbetson.*)

CONSIDERATION.

Bill, as amended, *further considered.*

MR. PARNELL moved a new Clause—

(Test of malingering to be made only with authority of visiting committee.)

"That where the prison medical officer considers it necessary to apply any painful test to a prisoner to detect malingering or otherwise, such test shall only be applied by authority of an order from the visiting committee of justices, and the prisoner shall be entitled to name any duly qualified surgeon or physician residing in the locality to be present during the application of the test."

Clause *brought up*, and read the first and second time.

MR. ASSHETON CROSS said, he would accept the hon. Member's clause if the word "Commissioners" were substituted for "visiting justices," and the rest of the clause left out.

MR. PARNELL accepted the Amendment.

Clause, as amended, *agreed to.*

MR. PARNELL next moved that—

"No prisoner who, previous to his conviction, has been in the habit of wearing flannels shall be deprived of them during his imprisonment."

If the right hon. Gentleman would provide for this being done in the prison rules he would withdraw the clause.

Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. ASSHETON CROSS was understood to say that flannels were always offered to prisoners.

Motion and Clause, by leave, *withdrawn.*

MR. PARNELL then moved the following Clause:—

(Restraint of prisoners.)

"No prisoner shall be put in irons, or under mechanical restraint, by the gaoler of any prison, or by order of the visiting committee of justices, except such restraint be necessary to secure the personal safety of the prison officials."

When the question was before the House it was urged that the use of irons was necessary to the personal safety of the prison officials. He had framed this clause to meet that case. Prison officials had been in the habit of punishing prisoners by putting them in irons. He thought that the inflicting of punishment by irons ought to be done away with; and his opinion was that prisoners should be no longer punished, but restrained by officials where restraint was necessary. The Bill of 1865 said that it should be lawful for the gaoler to order the prisoner to be put in irons in case of "urgent necessity;" but it did not say

what was meant by "urgent necessity." He thought that "urgent necessity" should only exist where the safety of the prison officials or the prisoner himself was involved, or where the prisoner would tear the furniture.

Clause *brought up*, and read the first time.

Motion made and Question proposed, "That the said Clause be now read a second time."

MR. ASSHETON CROSS said irons were not used except in cases of absolute necessity. He could not accept the clause, which provided only for the personal safety of the prison officials; but, a prisoner in a desperate state might, if not put under restraint, tear his own clothing, destroy furniture, or do injury to his fellow-prisoners or himself. He believed that everything that was necessary was provided for by the 59th rule, and he hoped the hon. Member would not press the clause.

MR. BIGGAR would suggest that the hon. Member for Meath should amend his clause so as to enlarge its scope by taking in the various matters spoken to by the Home Secretary.

MR. HENLEY said, the question seemed to be whether they should leave prisoners to knock out each other's brains. They sometimes fell foul of each other, and he thought they ought to be restrained.

MR. MITCHELL HENRY wanted to know if the Home Secretary intended to make any additional rules to those in the old Act of Parliament? He had a very strong opinion that irons should not be used as a means of restraint at all. In the case of lunatics irons had been abandoned and strait-waistcoats had been substituted, and he did not see why they should not be adopted in gaols.

MR. O'CONNOR POWER said, the hon. Member for Meath had moved his clause, because he considered the expression "urgent necessity" in the Act of 1865 to be rather ambiguous. It rather depended upon the opinion of those who inflicted the punishment as to when an "urgent necessity" arose. If the object of the law was only for the purpose of restraint, and not for punishment, he did not see why they should take the trouble to amend the law. In order to express that intent more clearly, that could be done by amending the present clause, and he should propose—

"That prisoners shall not be put in irons by the gaoler of any prison, or by order of the visiting committee of justices, as a punishment, but only for the purpose of restraint."

Question put.

The House *divided*:—Ayes 43; Noes 298: Majority 255.—(Div. List, No. 172.)

On the Motion of MR. PARNELL, the following Clauses were *agreed to*, and *added* to the Bill:—

(Limitation of time of confinement.)

"It shall not be lawful for the gaoler to order any prisoner to be confined in a punishment cell for any term exceeding twenty-four hours; nor shall it be lawful for the visiting committee of justices to order any prisoner to be punished by confinement in a punishment cell for any term exceeding fourteen days."

(As to inquests on the bodies of prisoners.)

"In no case, where an inquest is held on the body of a prisoner who dies within the prison, shall any person engaged in any sort of trade or dealing with the prison, be a juror on such inquest."

Clause 10 (Report to contain information as to manufacturing processes in prison).

MR. ASSHETON CROSS moved, in page 4, line 3, at beginning, to insert—

"Whereas it is expedient that the expense of maintaining in prison prisoners who have been convicted of crime should in part be defrayed by their labour during the period of their imprisonment, and that, with a view to defraying such expenses, and also of teaching prisoners modes of gaining honest livelihoods, means should be taken in promoting in prison the exercise of and instruction in useful trades and manufactures, so far as may be consistent with a due regard on the one hand to the maintenance of the penal character of prison discipline, and on the other to the avoidance of undue pressure on, or competition with, any particular trade or industry, Be it enacted, That."

MR. MORLEY expressed his acknowledgments to the Home Secretary for the fair spirit in which he had dealt with the matter involved in the Amendment.

Amendment *agreed to*.

Clause 14 (Duties of visiting committee).

Amendment proposed,

In page 5, line 18, after the word "intervals," to insert the words "and at least twice in each week."—(*Mr. Parnell.*)

Question proposed, "That those words be there inserted."

MR. ASSHETON CROSS hoped the House would not insert the Amendment. He felt sure there was not the least doubt of the visiting justices performing their duties in a satisfactory way.

MR. BIGGAR thought there should be something more definite laid down than the words "frequent intervals." Heretofore the justices had various duties to discharge, among them the tempting duty of filling appointments. Now, that that patronage was withdrawn, he feared there might be no inducement to attend, and it might be, as it was often with members of the Poor Law Board, who never attended on occasions when there was no election or other little matter to be carried out in which they were interested. Twice a-week might be too often to visit prisons, but some safeguard as to intervals should be provided.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 5, line 20, after the word "prisoners," to insert the words "privately, and not in the presence of any of the prison officials."—(*Mr. Parnell.*)

Question proposed, "That those words be there inserted."

MR. ASSHETON CROSS said, he had no objection to the spirit of the Amendment, and if it were withdrawn he would propose other words to carry out the object of the hon. Member.

SIR ANDREW LUSK condemned the Amendment as "sentimental," and thought its adoption would be very inconvenient. It would depend a good deal on the character of the prisoner whether the visiting justice would grant him a private interview.

Amendment, by leave, *withdrawn.*

MR. ASSHETON CROSS moved, in page 5, line 33, to insert as a separate paragraph—

"Provided, That an offender shall not be punished under the said sections fifty-eight and fifty-nine, or either of them, by personal correction except in pursuance of the order of two justices of the peace after such inquiry upon oath and determination concerning the matter reported to them as is mentioned in the said regulation numbered fifty-eight."

Motion *agreed to.*

Paragraph *inserted.*

Clause 15 (Visits to prison by any justice).

MR. O'CONNOR POWER moved, in page 6, at end of Clause, to add—

"and any Member of either House of Parliament may, when he thinks fit, enter into and examine the condition of any prison and of the prisoners therein, and he may enter any observations he may think fit to make in reference to the condition of the prison or abuses therein in the visitors' book to be kept by the gaoler; and it shall be the duty of the gaoler to draw the attention of the visiting committee, at their next visit to the prison, to any entries made in the said book."

He reminded the House of the value of independent inspection. At present, the only persons to whom prisoners might make known their complaints were the visiting justices. The House had declined to lay down rules for the time of the visits of those magistrates, and their duties were of a purely honorary character, and having no penalty for neglect. If prisoners attempted complaints in their letters, allowed every four months, those letters were immediately confiscated. Nor were the prisoners to make complaints to their friends who visited them at intervals of four months. Seeing that all the proposals which had previously been made by himself or by hon. Members around him had been rejected, he trusted the right hon. Gentleman would see his way to accepting the present one. He could see no practical objection to it. Of course, visits might be made by Members of Parliament to prisoners with whom they felt some sympathy, but those prisoners might also be visited by those whose views were antagonistic, and so there was no fear of misrepresentation; while it would provide Members with the opportunity of verifying cases — such as that mentioned the other night by the hon. Member for Leicester (Mr. P. A. Taylor), on the authority of a discharged prisoner — before bringing such cases before the House.

Amendment proposed,

In page 6, line 13, after the word "treatment," to insert the words "and any Member of either House of Parliament may, when he thinks fit, enter into and examine the condition of any prison and of the prisoners therein, and he may enter any observations he may think fit to make in reference to the condition of the prison or abuses therein in the visitors' book to be kept by the gaoler; and it shall be the duty of the gaoler to draw the attention of the visiting committee, at their next visit to the prison,

to any entries made in the said book."—(*Mr. O'Connor Power.*)

Question proposed, "That those words be there inserted."

MR. ASSHETON CROSS opposed the Amendment. The Houses of Parliament did not administer, but they had the control of the administration through the responsible Ministers of the Crown, and it would be going beyond the functions of Members to undertake the supposed duty. Besides, the Bill already provided a very extensive machinery for the visiting of prisons. There were the Prison Commissioners, the Inspectors, and the visiting justices, and, moreover, every single justice of the peace of the county, and every justice of the peace where the prisoner came from, if he happened to be taken out of his jurisdiction and removed into a prison in another county, had the power of visiting prisoners.

MR. GOLDSMID appealed to the hon. Gentleman not to saddle Members with a new and probably onerous task.

MR. HIBBERT suggested that every justice of the peace should have power to visit prisons without restriction.

MR. SERJEANT SIMON said, that if this clause were adopted it would create a divided responsibility between visiting justices and Members of Parliament. Moreover, the Home Secretary would be no longer responsible if such a power were given to Members of Parliament.

MR. FAY said, that if such a power was granted to the Queen's counsel, he did not see why it should not be granted to a Member of Parliament.

MR. MITCHELL HENRY said, that practically any Member of Parliament who actually desired to visit a prison could obtain permission, and he knew of cases in which such permission had been granted. To give power to every Member of Parliament to visit prisons would be as absurb as it would be unwise to introduce politics into prisons.

MR. MACDONALD said, that he had previously voted with his Friends for the protection of prisoners; but he should be against this clause, for the protection of Members of Parliament. The immediate result of such a clause would be that Members of Parliament all over the country would be solicited by numerous persons to inquire into their complaints. In a borough such as that he had the honour to represent, with a large county prison in it, he could see for himself an almost continual residence there. He would certainly divide against the proposed Amendment.

Question put.

The House *divided*:—Ayes 13; Noes 282: Majority 269.—(Division List, No. 173.)

Clause 18 (Compensation to be made to prison authority in respect of accommodation provided for prisoners of some other authority).

MR. ASSHETON CROSS moved, in page 7, line 39, at end of Clause, to add, as separate paragraphs—

"Provided also, That no compensation shall be payable under such provision as last aforesaid in respect of any prison discontinued within two years after the commencement of this Act.

"A prison authority shall not be entitled to receive under his section more than one hundred and twenty pounds in the whole in respect of the same cell."

Motion *agreed to.*

Paragraphs *inserted.*

Clause 25 (Confinement of prisoners after conviction).

MR. CLARE READ moved, in page 9, line 38, to leave out the words "be entitled to," the effect of which would be that all prisoners confined in prisons beyond the limits of the "county, borough, or place" where they were convicted should receive on their discharge at the public expense the means of reaching the place where they were convicted. The hon. Gentleman remarked that the practice was already in operation in convict prisons. In agricultural districts, where they had little crime and large prisons, it was possible the right hon. Gentleman would shortly be making them available for the prisoners from other districts, where the gaol accommodation was less ample, and it was undesirable that there should be any possibility of persons from other districts being turned adrift without the means of getting home. The clause, as it present stood, stated that the prisoner should be "entitled to be taken back." He wished to make it an absolute right, which the prisoner could demand, and he hoped his right hon. Friend would

see his way to accepting the Amendment.

MR. ASSHETON CROSS said, he had no objection to offer to the principle of the Amendment; but he was not sure that the simple device of leaving out the words, as proposed by the hon. Gentleman, would effect its object. All prisoners would undoubtedly be sent back; and if the hon. Gentleman thought there was a possibility that they might not under the clause as it stood, he had no objection to accept the Amendment, on condition that it might be found necessary to alter the wording in "another place," if it was thought there would be any practical difficulty in carrying it out.

Amendment *agreed to.*

Clause 39 (Special rules as to treatment of unconvicted prisoners and certain other prisoners).

MR. H. B. SHERIDAN moved, in page 15, to add the following Proviso:—

"Provided always, That no unconvicted person, or prisoner on remand or under any Act suspending the Habeas Corpus Act, shall be subject to the ordinary prison rules or discipline save so far as may be necessary to secure order and safe detention."

The hon. Gentleman said, it had been shown in previous discussions of this Bill that a scandalous system had grown up, under which outrages had been committed on persons who were awaiting their trial. A large proportion of these persons were acquitted, and therefore these outrages were inflicted upon them in violation of the law. The Home Secretary had shown, in carrying this Bill through the House, that he was a master in the art of Parliamentary government. He had stated that any rules and regulations which he might make would be submitted to Parliament, and that there would be an opportunity of amending and repealing them. He (Mr. Sheridan) contended, on the other hand, that Parliament ought to govern and control these rules and regulations, and that the House ought to declare in the text of the Act what were the rights of unconvicted prisoners. There might come times of political trouble and excitement, and if the right hon. Gentleman represented the Prerogatives of the Crown, the House of Commons represented the rights and liberties of the people, and would neglect its duty if it allowed the clause to pass without the introduction of these words. There was nothing in the Amendment he proposed which would in any way conflict with the Bill, or change the law as enacted by it. All that was involved was, that persons who were in prison simply for the purpose of detention should not be subject to the same treatment as convicts; and although the rules to be drawn up by the Secretary of State might be satisfactory, it was desirable to have the distinction clearly laid down in the text of the Act. All that was of a popular character in the government of prisons was being swept away; and, although it might be said they were parting with a shadow, let them take care that in parting with the shadow they did not also part with the substance.

Amendment proposed,

In page 16, line 18, after the word "regarded," to insert the words "Provided always, That no unconvicted person, or prisoner on remand or under any Act suspending the Habeas Corpus Act, shall be subject to the ordinary prison rules or discipline save so far as may be necessary to secure order and safe detention."—(*Mr. H. B. Sheridan.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM FRASER thought the proposed Amendment would not at all interfere with the principle of the measure, and he hoped the Home Secretary would be able to accept it. The Amendment was a perfectly harmless and innocent one. He had found, on visiting a prison—the House of Detention at Clerkenwell—that no distinction was made between persons who were simply under detention and others who were being imprisoned without hard labour.

MR. ASSHETON CROSS said, it by no means followed it would be so under this Bill, for the Preamble of the clause made it imperative that a distinction should be made, and no rules, original or amended, could come into force until they had laid on the Table of the House 40 days.

Question put, and *negatived.*

Clause 40 (Treatment of prisoners convicted of sedition, &c.).

MR. O'CONNOR POWER moved, in page 16, line 20, after "libel" to insert—"Or treason-felony, or offences of

a political nature." His object was to extend to political prisoners generally the exemptions and alleviations of discipline which were under the Bill to be allowed to persons convicted of libel and other offences. The Prison Commission reported in favour of separating political prisoners from other offenders. When a Commission, composed of such men as sat on this Commission, had made such a recommendation, it certainly deserved the most careful consideration. Political prisoners were now treated worse than they were in the days of O'Connell; and while the lot of all other classes of prisoners had been mitigated, that of political prisoners had been materially aggravated. So far the feeling of loyalty had not been promoted by this treatment of political prisoners, the contrary had been the case; nor did he know of anything which had so much stimulated the hostility of Irishmen to the English Government as the stories which reached them of the ill-treatment to which Fenian prisoners were subjected in prison. He trusted that even if the Home Secretary did not assent to this clause, he would, at least, indicate to the House that he did not regard the severe treatment of political prisoners as a means of promoting loyalty, and that he would hold out some hope of adopting some measures to separate from ordinary prisoners men who, however mistaken might be their aims or ther modes of action, were of perfectly good moral character.

Amendment proposed,

In page 16, line 20, after the word "libel," to insert the words "or treason-felony or offences of a political nature."—(*Mr. O'Connor Power.*)

Question proposed, "That those words be there inserted."

MR. ASSHETON CROSS observed that this subject had already been discussed at considerable length, and he thought they had arrived at the conclusion on sufficient grounds that these words should not be introduced. The statute gave considerable latitude to the Judge who tried the case. It was left to the Judge to say whether the offence was so slight that it deserved only a very light punishment. In such cases hard labour would not be imposed, and the prisoner would be more leniently treated. At the present moment there was not a single prisoner in England or Ireland who, if the Amendment were inserted, would be affected by it. It would not affect any political prisoner who was in custody at the present moment; because the Bill related entirely to county gaols; whereas any prisoners said to be political prisoners now in confinement were suffering penal servitude in convict prisons. There was another ground on which he must oppose the Amendment. If they adopted it they would, while passing a Prisons Bill, be really altering the sentences which the Judges had pronounced for certain offences.

MR. SERJEANT SIMON suggested a compromise by inserting after "libel" the words "treason-felony without hard labour." This would be perfectly consistent with the clause, and would only extend the regulations to a class of prisoners to whom they were not at present applicable.

MR. O'SULLIVAN could not see any reasonable objection to an Amendment, the principle of which the Home Secretary had already conceded by admitting the application of the proposition embodied to sedition and seditious libel.

DR. WARD also urged that the principle of the Amendment was conceded by the application to prisoners guilty of seditious libel. He did not regard the power vested in a Judge to mitigate a sentence as at all meeting the case to be dealt with by the clause, because the truth was that in Ireland, at all events, the Judges did not command the confidence of the people.

MR. DODSON hoped the right hon. Gentleman would leave the matter as it stood. It had been fully discussed in Committee and a compromise had been arrived at, which had been accepted as a settlement of the question.

MR. BIGGAR also expressed his opinion that prisoners were not always justly treated by the Judges in Ireland.

MR. WADDY entered a protest against the distinction constantly drawn in the House between political offenders and other criminals. In his opinion—an opinion which was shared by many others—no distinction could be drawn in favour of a political offender. From his point of view the political offenders were infinitely more dangerous, infinitely more culpable, and infinitely more deserving of punishment than the poor, misguided,

ignorant wretches who were to be found in the same prisons with them, and the enormity of whose crime consisted in stealing a pocket handkerchief or embezzling a shilling. In no other country in Europe would the language which was openly held in that House and out of it with respect to the Government of the country be permitted without stern and speedy repression following. If they attempted to suppress seditious talk and writing their conduct would be denounced as an instance of Saxon tyranny and persecution. It was the privilege of England, Scotland, and Ireland, that they had free writing, and, he might say, very free speaking not only in the House, but elsewhere, and it was one of the consequences of that privilege that whoever did not confine himself to that free debate, free writing, and free speaking, by means of which we endeavoured to get our opinions believed in and maintained, but stepped over the line and resorted to violence, disloyalty, inciting to civil war and that which would lead to bloodshed and death, must take the consequences to the fullest extent, and his blood must be on his own head. That, at all events, was the feeling of the great majority of the people of this country when, presuming upon the liberty of speech and writing which they had in England and Ireland, men so far forgot themselves as to become involved in direct and open treason against Her Majesty, the crime of which they were guilty was not a crime to be talked of with forgiveness in the sense in which it had been talked of in that House; it should not to be spoken of with a kind of patronizing air; the House ought not to be told that it must draw a distinct line between these people "who were really only political offenders" and others, and that it should treat them with greater consideration than the poorer, more ignorant, more needy, more pitiable, people who had committed crimes of infinitely less magnitude and infinitely less peril to the State. He felt the time had come when a distinct protest should be entered against the false feeling which endeavoured to raise political offenders almost into heroes, instead of keeping them in their proper position as criminals. Political offenders, as they were called, had done far more in this country to disturb peace, spread mischief, and cause panic, than almost any other class of criminals.

MR. J. COWEN said, he had no wish to take part in the discussion, and had not heard what had been previously said in support of the Amendment, but he could not pass in silence the most extraordinary speech just delivered by the hon. and learned Member for Barnstaple. As an English Liberal—or rather as an English Radical—he lodged his protest against such observations. He had the opportunity, when the Bill was in Committee, of speaking his views with regard to the treatment of political prisoners, and he had no wish to repeat what he then said; but the argument of the hon. and learned Member for Barnstaple went absolutely to the very root of constitutional government, and against the very existence of the House of Commons itself. Some of the most distinguished Members of this House, notably the Leader of the Opposition, represented the struggle against despotism of a large portion of the people of this country in 1688. *Magna Charta*, the Bill of Rights, and other great constitutional triumphs were all won in direct antagonism to the principles laid down by the hon. and learned Member who had given expression to doctrines such as were seldom heard from any Gentleman on the other side. His speech was one of unqualified opposition to constitutional government. Not very long ago a distinguished Member of the English Peerage proclaimed openly in his place in Parliament that the subjects of every Sovereign in Europe were not only justified in rising against their Governments, but that their resistance was sanctified by the best feelings of Christianity and humanity. But the hon. and learned Member from the Liberal side of that House had expressed a very different view. No doubt an attempt to overturn the constituted authorities of a country was most unwise, and in a sense criminal. We had in this country the largest measure of liberty enjoyed by any people. We had the fullest liberty of speech and of public meeting and it was most unwise for men, for the sake of liberty, to attempt to appeal to physical resistance. But there were times when men's feelings got the better of their judgment, and when their passions overruled their reason, and that had been the case to a

great extent in Ireland quite recently. All that the Mover of the Amendment contended for was, that when men had overstepped that boundary, they should be treated with some measure of consideration, and not be classed in the same way as men who broke the law for their own personal advantage. If a man stole a pocket-handkerchief or a purse, he did it for his own personal aggrandizement; but if a man attempted to revolutionize the law of a country, he acted unwisely and illegally, perhaps, but what he did was done from patriotic feelings, and for what he believed the general advantage of mankind. That man might be mistaken in the view he took, but his actions were for the advantage of others; and they ought not to treat a man who broke the law foolishly and indiscreetly for the benefit, or the supposed benefit, of the nation at large, in the same way as they treated a man who broke the law for his own benefit. All that was asked for by any reasonable man was, that when men had been convicted of a political offence, and sent to prison or to penal servitude, they should be treated with some measure of consideration. Let them be restrained by imprisonment from inciting to rebellion or sedition, as long as it was for the interest of the State that they should be so restrained. He should have no hesitation in sanctioning the confinement of a dozen, or 20, or 100, or 1,000 men, who conspired unwisely and unjustly against the rule of the authority of the Government, to prevent these men from engaging again in similar pursuits; but what the Mover of the Amendment wished to enforce was, that confinement should be sufficient, and that there should be a distinction between crime as against an individual, and crime as against a nation. He understood that the Home Secretary had, to a certain extent, assented to the Amendment, and he thanked the right hon. Gentleman cordially for the concession he had made. He was satisfied with the advance that had been made in that direction; but what he understood the Mover of the Amendment to desire was that the same measure of leniency should be extended to treason-felony as to other political offences. He had no wish to detain the House by any lengthened observations; his only object was to protest against the arbitrary, despotic, and most unconstitutional doctrines which had been preached by the hon. and learned Member for Barnstaple.

MR. WHALLEY said, that the persons who offended in the way referred to were not to be blamed so much as the officers whom they obeyed. The Roman Catholic priesthood were the officers of a Power which was treason itself, and their avowed duty was to preach and teach by every possible means—in the pulpit, the confessional, and the schools—how to bring to the ground and destroy—[*Cries of* "Question!"]

MR. MELDON wished to ask whether the hon. Gentleman was in Order in the observations he was now making?

MR. SPEAKER said, the hon. Gentleman was discussing a question not before the House, and was quite out of Order.

MR. WHALLEY had thought he was safe. With what justice could the Government treat these poor Fenians thus, and yet continually grant large sums——the other day, £9,000——

MR. SPEAKER asked the hon. Member to confine his remarks to the Question before the House.

MR. WHALLEY said, he was endeavouring to do so. The Government, by every means at their command, in the Army, by-and-by, he supposed, in the Navy—["Question!"]

MR. SPEAKER again interposed and informed the hon. Member that the Amendment before the House related to the treatment of persons confined for treason-felony, and that his remarks must be confined to that subject.

MR. WHALLEY resumed his seat.

MR. HIBBERT expressed his regret at the language used by the hon. and leaned Member for Barnstaple (Mr. Waddy). He thought that these prisoners should be treated in a more lenient manner. In other countries the greatest leniency was shown, with a most satisfactory result. Prisoners convicted of treason-felony would be sent to the convict prisons, not to the county and borough prisons. The proposal of the Devon Commission ought to be adopted. It would be a great advantage if such persons were sent to some particular prison or section of a prison.

MR. GRAY said, it appeared that the position which the Home Secretary occupied with reference to this clause was a slightly inconsistent one, because the

right hon. Gentleman consented that prisoners convicted of sedition and seditious libel should be treated as first-class misdemeanants, while he refused to permit prisoners convicted of treason-felony to be in the same category. As it appeared to him, it would frequently happen that a man convicted of sedition would be morally quite as guilty as a man convicted of treason-felony, and the distinction attempted to be drawn was extremely fine, and in practice would not be found just. He asked the Home Secretary, also, to remember that the Treason-Felony Act was an innovation, only introduced some 30 years ago, and passed, as many thought, with the view of vindictively punishing Irish political prisoners. He thought the time for the vindictive punishment of political offences had gone by; and when the prison laws were being amended it would show a spirit much to be regretted if men of a class who had risen to high positions in the State were still to have cast upon them the odium of being treated like common felons, of being herded with the worst class of felons.

MR. GOSCHEN wished to endorse the views expressed by his right hon. Friend the Member for Chester (Mr. Dodson), and should, therefore, be disposed to oppose this Amendment. He did not think that it would be wise on the part of the House of Commons to apply any kid glove treatment to the crime of treason, or to allow themselves to be carried away on this subject by any sentimental feelings. There was, in his opinion, no sound reason why the great crime of inciting others to make war against the Queen should not be dealt with rigorously and according to the law of the country. He should deeply regret if any large number of hon. Members on that side of the House were to use language with regard to treason-felony which would tend to show that they sympathized with those who committed crimes against the law of the land, or that they scarcely thought that treason-felony was a crime at all. A few hon. Members appeared to think that they could go behind a crime and look into the motives that led to the crime being committed; but, in his opinion, nothing could be more dangerous than to attempt to gauge the various motives which led men to commit crimes and to contend that they should be treated, not according to the crimes they committed, but according to the particular frame of mind which they happened to be in at the time they committed them. Murder itself might be justified on such grounds as those, because it might he said—"Here is a man whose death will be a great benefit to mankind, and therefore it is right to kill him." He was satisfied that such a doctrine as that would not find favour in that House. These offences were characterized as crimes by the Statute Book, and it was for the general safety of the State that those who perpetrated them should be treated as criminals. He trusted, therefore, that the House of Commons would not enter into the dangerous course of extenuating these offences, and would declare its opinion that all who committed them deserved rigorous punishment.

MR. SULLIVAN said, that if the speech of the right hon. Gentleman to which the House had just listened was to be taken as representing the opinion of the Liberal Leaders in Parliament, he feared that the friends of humanity and progress would wish a long career of office to Her Majesty's present Government. The right hon. Gentleman had lent the prestige of his much-respected name, and the reputation of his past official life, to a doctrine which was unworthy of an Englishman. The proposition advanced by the right hon. Gentleman was that political prisoners in this country, and this alone, should be treated on a level with the common felon, thief, and murderer. The right hon. Gentleman said that political prisoners ought not to be handled with kid gloves; but could he point to any country in Europe where, in the wildest times, such prisoners were treated as the Irish political prisoners had been in recent years? What would be thought of an ex-Minister of France if he were to rise in the French Assembly and say that French political offenders should be treated as pickpockets and garotters? What would be said if the Emperor of Austria treated the Hungarian rebels as the right hon. Gentleman would treat them if he happened to be in power in Austria? But, happily for Austria, the right hon. Gentleman's services had been reserved for this country. This odious, re-actionary, and barbarous policy was disgraceful to the country. Would the

right hon. Gentleman tell him in what way the great Republic of America would receive this proposition? Would it be listened to with patience? Even after the Civil War to uphold the Union, during which whole families were decimated, the people would have spat with scorn if the suggestion were made that Jefferson Davis should be treated as a thief. He (Mr. Sullivan) said that the declaration of the right hon. Gentleman was unworthy of that Assembly, and was unworthy of the right hon. Gentleman himself, for whom personally he had the highest respect. A man who committed a political offence had to face his fate, but magnanimity ought at any rate to be the characteristic of a nation which owed everything to a great rebellion. He was not an Englishman, and his countrymen had fought for the English King when his own subjects had adopted a foreigner in his place. Cromwell, Charles, and James no doubt put down rebellion with a strong arm. They gave capital punishment, but they never degraded their prisoners. The most despotic Sovereigns they ever had used to punish severely, but they never wounded the prisoners as political prisoners were wounded at the present day. He happened to know some of the released men, and had heard them say they would rather suffer death than endure the sufferings and indignities put on them in prison, and one of them said his flesh crept at the indignities heaped upon him. He (Mr. Sullivan) did not believe, if he went round England and canvassed the country on the subject, but that he would gain the voices of nine out of every ten Englishmen against the doctrine which had been laid down by the right hon. Gentleman.

MR. O'CLERY said, he was glad to hear that the Liberals had openly declared against Ireland, and that the right hon. Gentleman had at last shown himself in his true colours.

MR. GOSCHEN rose to Order. He wished to explain that he had not spoken against Ireland, but against treason-felony, without particular reference to Ireland.

MR. O'CLERY said, everyone knew that the debate had turned upon the question of Irish political prisoners. The right hon. Gentleman had dealt exclusively with them.

MR. GOSCHEN denied having alluded to Irish political prisoners specially.

MR. O'CLERY observed that this discussion had been provoked by the cruel and unwarranted attack made by the hon. and learned Member for Barnstaple (Mr. Waddy) upon Irish political prisoners.

MR. WADDY rose to Order. He had never used the expression "Irish political prisoners" from beginning to end. A man guilty of treason-felony in England was worse than one guilty of the same offence in Ireland, and he was not aware that Ireland had a monopoly of treason-felony.

MR. O'CLERY said, that whenever, in foreign countries, individuals revolted against the constituted authorities and afterwards escaped to England, they were received with open arms by Members of the English Liberal Party. He regretted that the hon. and learned Gentleman, who was of Irish descent, had wounded and insulted the very country he had sprung from. He thought the time had come when offences of this kind might be forgiven, and the political prisoners at present in gaol might be liberated.

CAPTAIN NOLAN said, that in the course taken by the right hon. Gentleman the Member for the City of London (Mr. Goschen) he was quite consistent, as, like a strict disciplinarian as he was, he had opposed the Motion for the abolition of flogging last year, and this year did the same, though he stood alone on the front Opposition bench. He would, however, rather have the consistency of the right hon. Gentleman than the inconsistency of the hon. and learned Member for Barnstaple, who signed a Petition in favour of the release of the political prisoners last year, and afterwards said he had signed it by mistake. He (Captain Nolan) advocated the milder treatment of political prisoners, because England by adopting that course would act consistently with the policy she had pursued with regard to political refugees from foreign countries. There was no finer thing in England's history than the manner in which she had defended political offenders who had sought refuge on her shores; and it was inconsistent, therefore, to seek to degrade and lower men who had committed political offences at home. The great Republic of America and the small Republic of Switzerland had shown them an example of how to treat political prisoners, which

it would be for the advantage and honour of this country to follow.

MR. MACDONALD rejoiced that the right hon. Gentleman the Member for the City of London had not charge of a Prisons Bill. If he had, it would be immensely more severe than the measure which had been introduced by the Government, and which would add one more to the honours which the right hon. Gentleman the Home Secretary had won in that House. After such an expression from the right hon. Gentleman the Member for the City of London, he, for one, hoped that he would not bask in the sunshine of Office for the next 20 years to come. He (Mr. Macdonald) was in favour of extending as much kindness as possible towards political prisoners, so as to wean them back to their duties as citizens.

MR. PARNELL must say that some of his hon. Friends had been rather too hard upon the hon. and learned Member for Barnstaple. He had, on former occasions, heard the hon. and learned Member, Hecuba-like, bewail the evils of the past, and then, Cassandra-like, prophesy dire evils for the future. He had heard him persistently advocate certain measures in the House, and a few days after express his regret for the manner in which he had acted. Perhaps, on this matter also, the hon. and learned Member would, after a few hours' consideration, come to see the error of his way, and would repent of his conduct in "sackcloth and ashes." It was necessary for the hon. Member for Mayo (Mr. O'Connor Power) and his Friends to raise the question on this Amendment, as it could not be raised in any other manner. He reminded the House that the Devon Commission had recommended that certain relaxations should be made in the treatment of political prisoners, and that they should be kept apart from other convicts, and he called on all who approved of those recommendations to support the Amendment. The words "treason-felony" were new-fangled, and altogether new terms that ought not to be applied to political prisoners. They were terms that were not known 30 years ago, when certain persons were prosecuted and transported for political offences, and amongst them his predecessor in that House, the late John Martin, than whom there could not be a more amiable and just man. The late John Mitchell wrote his recollections of the manner in which he was treated as a political prisoner. His book was entitled *Gaol Life*, and in it he stated that he was not in his exile obliged to associate with criminal prisoners, but was allowed a cell to himself. John Martin, also, left a written record of the manner in which he was treated in his imprisonment—a manner similar to that which John Mitchell described. It was the greatest pride and glory of this country that the political prisoners who sought an asylum were treated with so much liberality; and he trusted the Home Secretary would see that the time had come for an alleviation of prison discipline with regard to those prisoners who had been convicted of offences connected with Fenianism, and for extending to them such privileges as had been recommended by the Devon Commission.

Question put.

The House *divided*:—Ayes 54; Noes 135: Majority 81.—(Div. List, No. 174.)

Clause 47 (Rules of Secretary of State and repeal of inconsistent enactments).

MR. DODSON moved, in page 18, line 24, after "laid," to insert—

"In a complete form, after the same shall have been settled and approved by such Secretary of State."

Amendment *agreed to.*

MR. SERJEANT SIMON (for MR. NEWDEGATE) moved, in page 18, line 33, at end to add "and have been approved by Resolution of each House of Parliament." Under the present Bill it was proposed to give power to the Home Secretary to alter the rules of prison discipline from time to time as he might think proper. Now, that was a large power to place in the hands of a Secretary of State, and Parliament should certainly take care and hold a power in its own hands which would give to any private Member the privilege of bringing forward any objection or alteration which he might think proper in reference to those rules. During his time in that House he did not know of any instance wherein private Members had not the power to call attention to, and with the sanction of Parliament cause a change in the rules of, prison discipline. The provision that the rules should be on the Table of the House 40 clear days before

Captain Nolan

they acquired force was a delusion for all practical purposes, and the object of adding these words to the clause was to oblige the Government to afford the House an opportunity of discussing them.

Amendment proposed,

In page 18, line 33, after the word "days," to add the words "and have been approved by Resolution of each House of Parliament."—(*Mr. Serjeant Simon.*)

Question proposed, "That those words be there inserted."

MR. ASSHETON CROSS said, he hoped the House would excuse him from going into this subject again, having already discussed it in Committee. He had every respect for Acts of Parliament and for the guiding principles laid down in them; but really to legislate on these small matters would be carrying legislation to excess. What was wanted was that Parliament should know what the rules were, and they would be on the Table for 40 days. All the rules he made would be in mitigation of those which now existed. There would be ample opportunity for any hon. Member to challenge them and raise a discussion when they were on the Table.

MR. O'CONNOR POWER said, the object the hon. and learned Member for Dewsbury (Mr. Serjeant Simon) had in view was shared by many others near him. All along the proposition had been met by the Home Secretary with a reference to the rules and the right hon. Gentleman's personal assurances. He had urged that Parliament should not be called on to approve of all these minute rules; but, as a matter of fact, all the rules would be considered at once, and one debate would cover the whole ground. The Home Secretary, with his experience of office, must know how difficult it was to become acquainted with the whole subject. He (Mr. O'Connor Power) did not pretend to appreciate all the right hon. Gentleman's ability and industry; but if he possessed the ability of a dozen Home Secretaries, he was putting upon himself an immense responsibility, which he would do well to ask the House to share. This reasonable proposition would, he hoped, be pressed to a division.

MR. WHALLEY supported the Amendment, as it would give the magistrates some inducement to look after prison discipline.

MR. STEVENSON likewise supported the Amendment, as he was of opinion that the Home Secretary should, when the rules were drawn up, propose them to the House for its sanction.

Question put.

The House *divided*:—Ayes 101; Noes 140: Majority 39.—(Div. List, No. 175.)

Bill to be read the third time upon *Monday* next.

UNIVERSITIES OF OXFORD AND CAMBRIDGE BILL—[BILL 183.]

(*Mr. Gathorne Hardy, Mr. Assheton Cross, Mr. Walpole.*)

CONSIDERATION.

Bill, as amended, *considered.*

Clause 25 (Saving respecting Snell Exhibitions at Oxford).

MR. GOSCHEN moved after the clause to insert the following clause:—

"The Commissioners, in a statute made by them for the University of Oxford or for Oriel College in Oxford, may, if they think fit, with the assent of Oriel College signified under its common seal and with the concurrence of the Ecclesiastical Commissioners for England, provide that the canonry in the chapter of the cathedral church of Rochester, which is now annexed and united to the provostship of Oriel College, shall on a vacancy be severed therefrom, and may also, with the concurrence of the said Ecclesiastical Commissioners, provide that such canonry shall be thenceforth permanently annexed and united to some office or place of a theological or ecclesiastical character in or connected with the University of Oxford, or may, with the concurrence aforesaid, make such other provisions for the future disposal and patronage of such canonry as they shall think fit; and, in case any such statute shall be made annexing such canonry to such office or place as aforesaid, such canonry, or the income thereof, may, if they think fit, be reckoned and taken, in whole or in part, as a contribution of Oriel College out of its revenues to University purposes."

New Clause—(*Mr. Goschen,*)—*brought up*, and read the first and second time, and *added.*

Clause 4 (Nomination of Oxford Commissioners).

SIR GEORGE CAMPBELL moved, as an Amendment, to add to the clause which nominated the gentlemen who were to act as Oxford Commissioners, the name of Sir Henry Sumner Maine, Doctor of Civil Law. He could not

imagine why the name of so distinguished a gentleman, after having been inserted in the measure of last year, should have been omitted from the Bill now under consideration.

Amendment proposed,

In page 3, line 20, at end, to add the words "Sir Henry Sumner Maine, Doctor of Civil Law."—(*Sir George Campbell.*)

Question proposed, "That those words be there inserted."

MR. GATHORNE HARDY said, there was no one who could speak of Sir Henry Maine in stronger praise than himself. Everyone who knew him knew that he was thoroughly independent, and that he could hold his own against any man; but Sir Henry Maine had himself suggested that his name should be omitted, and therefore it had been done.

SIR WILLIAM HARCOURT said, that not a more fit man could have been appointed; but the omission of his name from the list would not be accepted as any slur upon it.

Amendment, by leave, *withdrawn.*

Clause 11 (Power for Universities and Colleges to make statutes).

MR. GOSCHEN moved in page 5, at end of clause, to insert as a new paragraph—

"The commissioners shall not approve a statute so made by a college until they have published, in such form as to them may seem fit, a statement with respect to the main purposes relative to the University for which, in their opinion, provision should be made under this Act, the sources from which funds for those purposes should be obtained, and the principles on which contributions from the colleges for those purposes should be assessed."

Paragraph *inserted.*

Clause 13 (Limitation of fifty years).

MR. GOSCHEN moved the omission of the clause *pro formâ*, to enable the Secretary of State for War to offer an explanation as to its effect. The clause provided that the Commissioners should not make a statute altering the trusts, conditions, or directions affecting a University or College emolument unless the instrument of foundation or of endowment thereof was made or executed more than 50 years before the passing of the Act. It appeared to him that the words of the clause, as they stood, went further than the intentions of the right hon. Gentleman opposite, which, he believed, were limited to private endowments, and would leave old endowments to be dealt with according to the discretion of the Commissioners. Perhaps the right hon. Gentleman would promise to re-consider the matter, with a view, if necessary, to the clause being amended in "another place."

Amendment proposed, to leave out Clause 13.—(*Mr. Goschen.*)

Question proposed, "That Clause 13 stand part of the Bill."

MR. GATHORNE HARDY took the meaning of the clause to be what he had stated it to be when the Bill was in Committee—namely, that new gifts to the University made within 50 years would be excluded. The draftsmen had made no suggestion for an alteration of the clause, because it carried out what he had before described as its meaning. But he was willing to re-consider the point as suggested by the right hon. Gentleman opposite.

MR. COURTNEY also expressed a hope that the wording of the clause would be re-considered in the manner indicated by the right hon. Member for the City of London.

SIR WILLIAM HARCOURT protested against the introduction into that discussion of the name of the draftsman, a person not known to the law of Parliament, and who ought not to be brought upon the stage, though he might occupy the prompter's box. The Law Officers of the Crown were the responsible authorities to state to the House the legal bearing of Government Bills.

MR. GATHORNE HARDY said, the draftsman had of late years been brought into the Committees upstairs very much to bring Bills into a good shape.

Amendment, by leave, *withdrawn.*

Clause 14 (Regard to main design of founder).

MR. OSBORNE MORGAN moved the omission of the clause which provided that in making a statute affecting a University or College emolument the Commissioners should have regard to the main design of the founder, except where the same had ceased to be observed before the passing of the Act, or where the trusts, conditions, or directions affecting

the emolument had been altered in substance by or under any other Act. He proposed the omission upon two grounds, the first being that when the same question was discussed in Committee the division took place during the dinner hour, and it therefore scarcely represented the opinion of the House; and, secondly, that the clause as it stood would materially hamper the action of the Commissioners dealing with what were called clerical restrictions.

Amendment proposed, in page 5, to leave out Clause 14.—(*Mr. Osborne Morgan.*)

Question proposed, "That Clause 14 stand part of the Bill."

MR. MOWBRAY said, the question had really been adequately discussed in Committee. It involved nothing more than had been already decided by Parliament under the auspices of the right hon. Gentleman the Member for Greenwich and by the Acts of 1854 and 1869.

MR. HERSCHELL suggested that the right hon. Gentleman the Secretary of State for War should consider whether the words "shall take into consideration the design of the founder, &c.," would not express his intention as well as those now in the clause, "shall have regard to." It seemed to him that if the words he suggested were inserted the Commissioners would not be bound to further the designs of the founder, which was the practical effect of the clause as it now stood.

MR. GATHORNE HARDY said, he had not the slightest objection to accept those words if there was no division on the clause.

SIR CHARLES W. DILKE said, he could not see that the words suggested by the hon. and learned Member made much difference, and he would recommend his hon. and learned Friend (Mr. Osborne Morgan) to press his Amendment.

Question put.

The House *divided*:—Ayes 170; Noes 105: Majority 65.—(Div. List, No. 176.)

Clause 16 (Objects of statutes for University.)

MR. GREGORY moved, in page 6, after line 33, to insert—

"For regulating the residence of Undergraduates at the Universities and the number and length of the terms to be kept by them as a qualification for a degree."

Owing to the qualifications that were required before matriculation, it was unusual to matriculate before the age of about 18; but it was often the case that the student was perfectly well qualified at that stage to pass also the succeeding examination. Three or four years' residence was at present necessary before a degree could be taken; but he contended that two years' residence would be enough. If an Undergraduate had reached the age of 23 before he was allowed to take his degree, he still required two or three years of training for any commercial or professional career, and so late a start in life was such a serious disadvantage that many who would gladly send their sons to the Universities were deterred from doing so. As the Terms extended to only 17 or 18 weeks a-year, the difficulty might be met by taking into account residence during the vacation.

Amendment proposed,

In page 6, line 33, after the word "students,' to insert the words "For regulating the residence of undergraduates at the Universities and the number and length of the terms to be kept by them as a qualification for a degree."—(*Mr. Gregory.*)

Question proposed, "That those words be there inserted."

MR. RATHBONE hoped the right hon. Gentleman would assent to the proposal. It was possible in two years to lay a foundation of law and history, the most useful and practical preparatory studies. It was often a great hardship to men going into commerce to remain nearly four years at the University.

MR. ONSLOW trusted his right hon. Friend would not accept the Amendment. Young men did not go up to the University merely to pass examinations. They went there to learn social qualities as well, and for that purpose it was necessary that they should be there at least three years.

MR. OSBORNE MORGAN would not follow the last speaker into the social advantages of spending three years at a University. If a man were fit to take his degree at the end of two years, he saw no reason why he should be prohibited from doing so. He hoped his hon. and learned Friend would press the Amendment.

SIR GRAHAM MONTGOMERY supported the Amendment. He thought that for a common pass degree two years were sufficient.

MR. LYON PLAYFAIR said, that according to the arrangements made by the University of Oxford with reference to the Indian Civil Service, only two years' academical training would be necessary before a young man went out to India. The same time ought to suffice for the B.A. degree, and therefore he should support the Amendment.

MR. GATHORNE HARDY said, that the Amendment would give the Commissioners the power of regulating the number of Terms to be kept by Undergraduates, but that duty might very well be left to the University itself, especially as it had recently made special regulations for the Indian Civil Service students. The question was, whether the Commissioners were to force their views upon the University. He could not think it desirable to do so, as the University was quite competent to govern its own internal affairs.

MR. GOSCHEN remarked that the Bill already contained many directions as to the matters with which the Commissioners were to occupy themselves, and the Amendment would serve as an indication of the opinion of Parliament on this particular point. Commercial men who were anxious for their sons to obtain academic rank thought three years' residence too long.

MR. SAMPSON LLOYD, as a man of business, expressed his hope that the Government would accept the Amendment. He knew from personal experience that many men were prevented from going to the University by the length of time necessary for a degree. He would vote for the Amendment because, while it would not diminish the value of a degree, it would admit a large proportion of men intended for professions and business.

MR. MARLING supported the Amendment.

MR. RAIKES said, that the Amendment dealt entirely with a matter of discipline, and if the House was prepared to deal with it, many similar Amendments might be moved which could hardly be considered. He concurred, however, as to the desirability of altering the length of the University course. He deprecated the introduction of new matter into the Bill, and was of opinion that the Universities might be trusted to do what was right on the question.

MR. BIRLEY remarked that the Governing Bodies of the Universities were the proper persons to deal with this matter; but he hoped that the general expression of opinion on both sides of the House would not be without fruit. It was most desirable that young men should be able to receive the advantages of University education without being required to spend three years before they could take a degree. He trusted the right hon. Gentleman would introduce some words which would show the wish of the House.

LORD EDMOND FITZMAURICE differed from the hon. Member for Chester (Mr. Raikes), who considered this as a question of discipline, and not of teaching. What could relate to teaching if the length of time the student was to reside at the University did not?

MR. BERESFORD HOPE said, that this was a matter far more within the competency of the Universities than of any body of Commissioners. In the University to which he belonged (Cambridge) this question had exercised, and would exercise, the most careful attention of the authorities, and the House might be satisfied to leave it to them.

MR. BARING expressed on behalf of the commercial classes, whom he might claim to represent to a certain extent, their anxiety that some such clause as that proposed should be inserted in the Bill. As a strong Tory, he would say to the Tory Government, restore the ancient Oxford custom, whereby the people were admitted to that which was now the privilege of one class. If the Government did so they would not be creating a revolution nor damaging the University of Oxford.

MR. EVANS supported the Amendment. He considered it would be a great advantage to that large class of the community who could not spend three years at the Universities if they were enabled to obtain their degrees in a shorter period.

LORD ESLINGTON thought the views expressed by those who represented the commerce of the country ought to commend themselves to the Government. The University authorities were favour[illegible]

and a Resolution of the House would strengthen their hands in carrying it out.

MR. J. G. TALBOT said, the House was asked to put into the hands of the Commissioners functions which ought to be in the hands of the Universities themselves. The Universities were carefully considering the question.

Question put.

The House *divided*:—Ayes 143; Noes 147: Majority 4.—(Div. List, No. 177.)

Amendment proposed,

In page 8, line 29, to leave out from the word "learning," to the word "University," in line 32, inclusive.—(*Mr. Goschen.*)

Question, "That the words proposed to be left out stand part of the Bill," put, and *agreed to.*

Clause 29 (Saving for Headship of Magdalene College, Cambridge).

SIR CHARLES W. DILKE moved the omission of the clause, providing—

"That a statute made by the Commissioners shall not affect the right of nominating or appointing to the Headship of Saint Mary Magdalene College in the University of Cambridge, unless the consent by deed of the person entitled to that right is first obtained."

He did this to obtain an explanation from the Government.

Amendment proposed, to leave out Clause 29.—(*Sir Charles W. Dilke.*)

Motion made, and Question proposed, "That Clause 29 stand part of the Bill."

MR. FAWCETT suggested that there might be a clause to this effect—that the Commissioners should consider whether some better arrangement than that which was now in practice should be brought into operation to regulate the appointment of the Mastership of Magdalene. He, however, moved the Adjournment of the Debate, that the matter might be fully discussed.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Fawcett.*)

MR. GATHORNE HARDY said, [illegible] had been plenty of time to [illegible] an Amendment if any hon. [illegible] wished to do so, and it [illegible] unreasonable to obstruct the Bill that night because that had not been done.

MR. W. E. FORSTER thought it was perfectly wonderful that Parliament should put in a clause which declared that the Commissioners should not have power to deal with the extraordinary anomaly that the Mastership of a Collegiate Institution should be attached to the ownership of an estate belonging to an institution. There might be a vested interest, and money might be required to get rid of it, but the Commissioners should have power to dispose of the vested interest.

MR. MOWBRAY supported the clause. It could not now be amended.

MR. COURTNEY hoped his hon. Friend (Mr. Fawcett) would withdraw his Motion. They did not want any alternative clause. They were competent to deal with the question at once by voting for or against this clause.

MR. DODSON said, that the clause ought to be amended by the Government, and by providing compensation to the persons holding the Mastership if it should be found necessary to do so.

MR. J. COWEN recommended the withdrawal of the Motion for adjourning the debate.

Question put.

The House *divided*:—Ayes 61; Noes 183: Majority 122.—(Div. List, No. 178.)

Original Question put.

The House *divided*:—Ayes 144; Noes 95: Majority 49.—(Div. List, No. 179.)

Clause 36 (Election of Commissioners by Colleges.)

Amendment proposed, in page 12, line 37, to leave out the word "three," in order to insert the word "two."—(*Mr. Goschen.*)

Question proposed, "That the word 'three' stand part of the Bill."

MR. GATHORNE HARDY said, he had given consideration to this matter since the Bill was in Committee, and he was still of opinion that three was a better number than two; but he proposed as a compromise that in cases where there was already one member of the College upon the Commission the number should be reduced to two.

MR. FAWCETT suggested the acceptance of the compromise.

MR. DODSON, whilst not approving of the arguments by which the compromise was supported, thought they might content themselves by recording their protest and not troubling the House by going to a division.

Question put, and *agreed to.*

MR. GOSCHEN moved, in page 12, line 39, after "college," to insert—

"Provided always That, in the case of any College, one or more members of which shall be appointed by name Commissioners under this Act, no more than one person shall be so elected."

MR. GATHORNE HARDY suggested that "one person" should be altered to "two persons."

Amendment, as amended, *agreed to.*

Bill to be read the third time upon *Monday* next.

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Friday, 15th June, 1877.

MINUTES.]—PUBLIC BILLS—*First Reading*—Imbecile, Lunatic, and other Afflicted Classes (Ireland) * [110].

Second Reading—Pier and Harbour Orders Confirmation (No. 3) * (100); Elementary Education Provisional Order Confirmation (Felmingham, &c.) * (96); Local Government Board's Provisional Orders Confirmation (Atherton, &c.) * (86); Local Government Board's Provisional Orders Confirmation (Caistor Union, &c.) * (94).

Committee—Report—City of London Improvement Provisional Order Confirmation (Golden Lane, &c.) * (82); Metropolis Improvement Provisional Orders Confirmation * (72); Greenock Improvement Provisional Order Confirmation * (83); General Police and Improvement (Scotland) Provisional Order Confirmation (Dumbarton) * (68).

Third Reading—Provisional Orders (Ireland) Confirmation (Artisans and Labourers Dwellings) * (78); Provisional Orders (Ireland) Confirmation (Ennis, &c.) * (79); Crown Office * (84); Local Government Provisional Orders (Altrincham, &c.) * (89); Local Government (Gas) Provisional Orders (Penrith, &c.), (90) and *passed.*

RUSSIA (UNITED GREEK CHURCH).

ADDRESS FOR A PAPER.

LORD STANLEY OF ALDERLEY rose, pursuant to Notice, to call the attention of the House to the Correspondence respecting the treatment of the members of the United Greek Church in Russia; and to move for the omitted Despatch of Earl Granville in reply to Lieutenant-Colonel Mansfield's Despatches of the 29th of January and 18th of February, 1874. The noble Lord said: I do not know whether I ought to apologize for asking your Lordships to consider the Papers respecting the treatment of the United Greeks in Poland; but as complaint is so frequently made that Her Majesty's Ministers are chary of communicating Papers to Parliament, it would seem to be ungracious if notice is not taken of those which are communicated. Moreover, now that Russia is held up by some persons as an example, in connection with civil and religious liberty, it might be well to bestow some attention on the Russian view of civil and religious liberty, and to inquire into some of those good deeds of Russia which Mr. Gladstone has urged this country to emulate. The despatches of Colonel Mansfield and Mr. Webster contained in these Papers show that in consequence of measures taken by Russia to carry out a change of Ritual, and to bring the United Greeks into the orthodox or Russian Church, massacres of peasants by the Russian soldiery have taken place, the peasants have been driven into rivers in mid-winter, others have been kept during that season in the yards of prisons which were too full, others have been forced to take refuge in the woods, churches have been abandoned, and for marriages and other religious rites the peasants or the priests have had to travel distances of 60 or 70 miles; lastly, women and children have been flogged by the Cossacks. As the Papers are in your Lordships' hands, I need not go more into detail as to the persecution reported by Her Majesty's Consuls; but I leave on one side the Consular Reports chiefly for another reason: because, the Russians allege, that the Reports of Her Majesty's Consuls are exaggerated; and as the noble Duke the late Secretary of State for India (the Duke of Argyll) told your Lordships that he attached no credit to the state-

ments of some of Her Majesty's Consuls in Turkey, which were favourable to the Turks, and as he may refuse to attach credit to these Reports because they are unfavourable to the Russians, I will not read to your Lordships any extracts from the Reports of Her Majesty's Consuls, but only ask your Lordships to consider that which is given in this Correspondence as the Russian official version of what took place, since it is sufficient for my case. One exception may be made with regard to a statement of Colonel Mansfield's at page 3—that one woman, more vehement than the rest, received as much as 100 lashes—because this statement has been published in the American Blue Book in a Report of the United States Consul, Mr. Jewel, to Mr. Fish, where it is said that some women received as many as 100 lashes. A history of the Catholic Church in Poland, and of the recent persecution, by Pere Lescœur, states that between 1863 and 1867 11 priests were shot or hung by the Russians, and during that time 14 convents and 126 churches or chapels were closed. The *Messager Officiel*, of February 26, 1876, states that the United Greek population in Poland belong to the Russian family, and were united to Rome at the end of the 16th century. After some historical details, it states—

"The alterations in the Greek Ritual had reached its extreme limit, and they could no longer be submitted to. This the Bishops of Chelm themselves acknowledged. At quite a recent period (1841) the Bishop Schoumborski undertook to re-establish the Greek Ritual; but this attempt excited to such a pitch the discontent of the Polish patrons, and of the nation, as stirred up by them, that the Bishop was obliged to give way. After that no further obstacle stayed the alteration of the Greek Ritual: the invasion of Latinism and Polonism assumed the largest proportions, and the high dignitaries of Chelm themselves allowed the introduction into the Uniat churches of the litanies, of the scapularies, and of all the Polish prayers, as well as of organs, canticles, &c. The Polish language held complete sway. The Uniats having gone over to Latinism, under these circumstances became ardent Latins and zealous Poles, strangers to their nationality, and ashamed of the name of Russians."

The Messager Officiel goes on to mention the measures taken in October, 1873, by the Episcopal Consistory of Chelm for the re-establishment of Divine Service according to the canons of the Eastern Church, and makes the following admissions:—

"Unhappily, in the village of Drolew, district of Radin, when, by order of the military authorities, an unarmed party of soldiers proceeded to arrest the principal ringleaders of the disturbances, the crowd attacked them with sticks and stones, and wounded some officers, soldiers, and Cossacks. The remainder of the detachment was then forced to fire several times, and in consequence one person was killed and 10 were wounded. . . . In the village of Pratoulin a crowd of peasants rose in insurrection and indulged in disorders during several days. When the detachment of troops arrived on the spot it was attacked with sticks and stones, whereby the senior officer in command of the detachment, some officers, and many soldiers were wounded. The detachment was consequently forced to fire, with the result of nine peasants killed and 14 wounded."

A pamphlet called *Les Missionaires Moscovites*, published last year at Paris, says that at Drelow 5 peasants were killed and 28 severely wounded. It is singular how the Russians are attached to the number one in their lists of killed, and it caused a German paper lately to observe that the Cossack who was to have been killed in a recent engagement, was not so, because he was on furlough. The next extract from the *Messager Officiel* of July, 1874, states—

"During the last sojourn of His Majesty the Emperor at Warsaw delegates from several United Greek parishes of the province of Siedlce arrived in that town with the object of presenting a petition begging for the revocation of the measures taken by the diocesan authority relative to certain ceremonies of the United Greek worship. When this was brought to the knowledge of the Sovereign, His Majesty deigned to order the Governor General of Warsaw, A.D.C. General Count Kotzebue, to declare again to the United Greek populations that requests of this kind cannot be received, and that His Majesty is persuaded that the United Greek population, Russian from time immemorial, and always faithful to the Throne, when released from the deplorable errors and the malicious instigations which are forcing them from the path of duty, will not delay the adoption of their ancient and regular religious ceremonies; and will show themselves, as formerly, submissive and quiet, as His Majesty the Emperor has been accustomed to see them hitherto."

It is therefore established by the Russian official statements that the Uniats were ordered to change the Ritual which they had used for centuries—Page 15 of Blue Book; that they had objected and resisted, and that this resistance had to be overcome by the fire of the Russian troops; that the Emperor refused to receive any petitions from them to stay this persecution, and enjoined on them to return to the Russian Ritual. After

this it is not surprising that the *Messager Officiel* of January, 1875, was able to announce that 45 parishes, and 50,000 souls, and 26 priests, had been re-admitted to orthodoxy and to the Ritual of their ancestors. It is to be observed that throughout these official papers the Russians are always harping upon the ancestors of these people. If the Russian Government had a right to require people to be of the religion of their ancestors, then we should be of the religion of our father Adam, and all mankind would be of one religion; but if we are not to go back so far, where is the line to be drawn; and if the United Greeks are to go back 200 years, why not 600 or 700 years, when their ancestors were idolators. In these districts conversion by military pressure has always been the custom. The Lithuanians were converted in that manner, and drawn up in platoons for baptism, and the name of Peter or Paul was given to each platoon for the whole of the men in it. The *Messager Officiel* goes on to say—

"These despatches having been submitted to His Majesty the Emperor, His Majesty deigned to order that the Uniats that have rejoined orthodoxy should be thanked for the sentiments of boundless devotion and happiness which they had expressed at being henceforward of one faith with their Sovereign."

This is sufficiently significative; but it is rendered more so by the next Paper in the Correspondence, which is a despatch from Lord Augustus Loftus, forwarding an extract from the *Journal de St. Pétersbourg*, containing an address from the United Greeks of Chelm. Lord Augustus Loftus says—

"This address has apparently been published to correct the impression which may have been formed from the previous publications of the official organ, that the thanks of the Emperor had been expressed for the return of the United Greeks to orthodoxy, whereas they were only called forth by the loyal expression of the address."

Now these are exactly the principles in respect to religious administration of Nebuchadnezzar, and not the principles of civil and religious liberty which are identified with Englishmen. It is remarked by the Poles that the name of the Assyrian King, when read and translated in the Slav language, is a concise epitome of his principles, for "Na Bog nada Tsar" means "There is no God but the Czar." The Russian official papers lay much stress upon these United Greeks belonging to the Russian family; but there is internal evidence that they do not belong to it, for throughout an expression is used which would not be used by Russians proper or Muscovites, they call the Emperor the White Czar. Now that expression, or Ak-Padishah, is one that is used naturally by the Kirghiz and other Tartars, and by races foreign to Russia. There is also the alternative supposition that these addresses were not drawn up by the United Greeks, but by an official from a part of the Russian Empire where this phrase is in vogue. The attempt to substitute Russian images or paintings for those of a Western pattern, referred to in this Blue Book, is traditional in Russia. For as long ago as the reign of the predecessor of Peter I., an account is given in the travels of Macarius, the patriarch of Antioch, of the preaching of the patriarch of Moscow, Nicon, to the Tsar Alexis, when he was at Viazma, near Smolensk, against paintings in the Frank fashion, and of his anathematizing and excommunicating all those who painted them or placed them in their houses. On this occasion Nicon threw the paintings on the pavement of the church, and ordered them to be burnt. But the Czar entreated the patriarch, saying—"No, father, do not burn them; rather bury them in the earth," and in such sort they were disposed of. The patriarch Nicon may have so acted from religious fanaticism; but now the Russian Government uses fanaticism as a pretext for civil tyranny, and for crushing the Polish race and language. Lord Augustus Loftus wrote on the 18th March, 1874, that M. Westmann said that these sad events, the disturbances in Poland, were in no way connected with any political questions, nor did they bear a Polish character. This hardly agrees with the fact that, a few years before, in 1868, an article had appeared in a newspaper of St. Petersburg, with the title—*On the authorisation of the introduction of the Russian language into the Catholic services.* This article says—

"We are of the opinion of those who maintain that the solution of the Polish question meets with difficulties, unless Catholicism is first separated from Polonism, by the help of the introduction of the Russian language into sermons, prayer-books, and those services which are now read in Polish, for the Latin employed

in the mass is not dangerous to us. It is quite true that the so-called Kingdom of Poland has in Russia a powerful and national institution; this is the Roman Catholic Church."

The pamphlet named *The Muscovite Missionaries*, to which I have already referred, gives copious extracts from the minutes of a Conference held at St. Petersburg in June, 1872, of a Committee called the "Guardian of the United Greek Church." This Committee was presided over by Count Berg, Governor of Poland, while Count Tolstoy, the Minister of Instruction and Worship, and Count Schouvaloff, Director of the Secret Police of the Imperial Cabinet, were invited to it. Imagine Colonel Henderson or the Bow Street Magistrate being called to sit in the Jerusalem Chamber in a Committee of Convocation of the Province of Canterbury! There were also summoned from Poland the Governors of Siedlce, Podlachia, Lublin, and the Abbé Popiel. These minutes state that the Committee had unanimously decided that the Government, while not using violent measures to bring the United Greeks to orthodoxy, can in no wise permit the Catholicization of the Union, by the introduction of Latin ceremonies, and that, on the contrary, it must free the Union from all innovations recently introduced, and which are not compatible with the interests of the Empire. In conclusion, I would request your Lordships to observe how very dispassionate are the despatches of Colonel Mansfield; and I have endeavoured to treat the subject in the same spirit. The Press has recently announced that the Russian Government will shortly refute them. In order to do this, the Russians will first have to refute their own Official Gazettes, and they must be prepared to meet the still stronger despatches of the Consuls of other Powers, which will probably see the light before long. I move for the despatch in reply to Colonel Mansfield's despatches. It may not exist; there are many who say Mr. Gladstone did not care for the victims in this case because they were Roman Catholics—possibly they wrong the right hon. Gentleman. Others say that as the [illegible]arl Granville) wrote that [illegible] Government did not care [illegible] minutely how far the [illegible]nt had observed its [illegible] regard to Khiva, [illegible]et was involved, so it was hardly to be expected that he would minutely inquire into these events. But I believe the truth is that he had not time to do so, for it will be remembered that the late Government was engaged in a struggle for its existence at the date of these despatches; but if that is the case, I expected that the noble Earl the late Foreign Secretary, whom I regret not to see in the House, would be glad of an opportunity of stating to the House and to the country that these deeds of the Russian Government are not among those good deeds of that Government which Mr. Gladstone has so frequently described.

Moved that an humble Address be presented to Her Majesty for the omitted despatch of the Earl Granville in reply to Lieut.-Colonel Mansfield's despatches of 29th January and 18th February 1874.—(*The Lord Stanley of Alderley.*)

LORD HOUGHTON said, that the production of Correspondence such as that from which his noble Friend had quoted was a proceeding of a somewhat unusual character. The Correspondence referred to matters of purely local and internal administration in the Empire of Russia, and its production in ordinary circumstances might have been interpreted as manifesting an unfriendly and discourteous feeling on the part of Her Majesty's Government towards the Government of Russia. Whatever our individual opinion might be, the English Government had no more right to interfere, politically or diplomatically, in a religious dispute between the Russian Government and Russian subjects, than the Russian Government would have to interfere in any religious dispute that might arise between the English Government and any of Her Majesty's subjects in any part of the British dominions. He did not deny that there was some validity in that objection. At any rate the events referred to in the Correspondence had taken place some years ago, and were not immediately connected with any of the late transactions between Her Majesty's Government and that of Russia. Therefore, he presumed that Her Majesty's Government would not have spontaneously laid on the Table the Correspondence now before their Lordships; but it was a different question whether they would have been justified in refusing its pro-

duction when it was moved for by an independent Member of the other House. B yhaving done so, they would not, indeed, have taken upon themselves the justification of the acts of Russia, but they would have exposed themselves to the imputation of refusing information as to those acts; while as regarded the acts of another Power, they had laid on the Tables of both Houses details which had deeply agitated the feelings of the people of this country, and had seriously influenced the future destinies of England and, perhaps, of the world. That being the case, he thought Her Majesty's Government could not be accused of unfairness in having produced the Correspondence to which attention had been drawn by his noble Friend. If this country was to take up and be deeply agitated by the religious difficulties of another country, it was just that they should know the whole matter and be made fully acquainted with both sides of the question. He did not however, wish to attach an undue importance to the Correspondence. It told them nothing new, nothing exceptional. Through his connection with the Committee of the Polish Society, which now dated as far back as 35 years, he had had before him the series of persecutions of the Roman Catholics which had taken place in Russia—persecutions no doubt vindicated, by some minds, on grounds of high State policy, but still of such a nature as to be abhorrent to the feelings of the English people. The war now going on in that distant portion of the world was founded upon identically the same plea, principle, impulse, and passions which animated the conduct of the Russian Government in dealing with this question. He thought, however, that even in its worst times, the persecutions related in these despatches were not to be attributed entirely to the Sovereign or Government of Russia. One of the results of those persecutions was that, without concealment, the heads of the Roman Catholic Church had expressed their desire for the success of the Ottoman arms, and in Spain there was the astounding phenomenon —enough to make Ferdinand and Isabella rise from their graves—of prayers ascending from the churches of that country for the triumph of the Turks. He could not think that, in fairness to all parties, Her Majesty's Government could have done otherwise than lay these despatches on the Table of the House. It must be borne in mind that the present war, which seemed to us inexcusable, was justified in the minds of millions of men, who believed that by prosecuting it they were propagating a true religious doctrine, the consequence of which would be the complete dominion of the Greek Church in the Ottoman Empire; while, on the other hand, the hopes which the Roman Catholics entertained for the Christian populations of Turkey were very much modified by their fears of what their co-religionists might experience if, by the success of the Russian arms, they were to fall under the rule of the Russo-Greek Church.

THE MARQUESS OF RIPON said, he was not at all astonished that the noble Lord (Lord Stanley of Alderley), should have asked for further information than was contained in the Correspondence that had been laid upon the Table. The dates of the despatches, the answers to which were asked for by the noble Lord, showed that those despatches could not have reached this country till his noble Friend (Earl Granville) had left, or was on the point of leaving, the Foreign Office, and had been succeeded there by his noble Friend who now filled the post of Secretary for Foreign Affairs; but it was remarkable that there was not a single despatch from our Foreign Office in the whole Correspondence; and he feared that the reply of his noble Friend (the Earl of Derby) would be, that there were no answers included in the Papers, because no answers were sent. It was possible that he himself, being of the same faith as those who had been persecuted by the Russian Government, might feel an even warmer and heartier admiration for the gallant struggles of the Roman Catholic subjects of Russia, and a stronger abhorrence of the persecutions to which they had been subject, than were entertained by some other persons; but he felt sure that in their Lordships' House there was no sympathy in those persecutions. He must, however, differ from those who would put the case of the Russian persecutions on a par with the Turkish outrages in Bulgaria, as regarded the manner in which each ought to be regarded by this country. The two cases were different not only in degree, but in kind. Could his noble Friend (the

Earl of Derby) have found an opportunity of expostulating with Russia on the receipt of the statements made to him in 1874 and 1875, in the same tone as he had expostulated with Turkey in his famous despatch of last Autumn? He asked whether his noble Friend would have been justified in addressing to Lord Augustus Loftus such a letter as that which he had addressed to Sir Henry Elliot? If he would not have been, the two cases were not parallel. Could his noble Friend the noble Marquess (the Marquess of Salisbury) have described Russian independence as, in terse and decisive language, he described in January last the "independence" of the Ottoman Empire? He ventured to think not. In fact, there was no real parallel between the two cases. He trusted, however, that his noble Friend had found it possible by some means to expostulate with regard to these disgraceful proceedings —or, at any rate, to express sympathy with the sufferers.

LORD WAVENEY said, that he had the honour of bringing this subject before their Lordships some two months ago, under a feeling that it was his duty to inquire under what circumstances these despatches were presented to Parliament. It did seem very strange to him when he heard in the explanation of the noble Earl that these despatches were called a "Correspondence," as correspondence there was none, there being no reply to any one of the despatches. Russia was now doing in the field that which diplomacy had an opportunity of doing six or eight months ago; but whatever credit Europe might be disposed to allow to Russia, the duty of this country would be to consider what power she had acquired, or was acquiring, and whether she would exercise it for the benefit of those races over whom she might claim Sovereignty. He thought that his noble Friend (Lord Stanley of Alderley) had done good service upon this occasion. Their object was not to exasperate, but to calm, the feelings of people both in the East and the West. This war was not so much one of the Russian Government, as of the Russian people on behalf of their co-religionists in European Turkey, and there were millions of people in this country who, though they had no interest in the Greek subjects of the Porte as co-religionists, yet as members of the Christian Church, and on grounds of humanity, which bound all men together as one people, deeply sympathized with them in their sufferings.

EARL FORTESCUE was understood to protest against any recognition—even by implication — of the righteousness of the absorption of the Grand Duchy of Warsaw by Russia in defiance of Treaty obligations. Notwithstanding the statement of the noble Lord (Lord Houghton) that the country had no right to interfere between the Russian Government and its subjects in religious disputes, he maintained that we had a right—the expediency of doing so was another question—to protest against the ill-treatment of a people who, though *de facto*, were not *de jure*, subjects of Russia.

THE EARL OF DERBY: My Lords, I do not think I need follow the noble Lords who have addressed you through all the details to which they have referred; and, therefore, I shall content myself with simply answering the Questions which have been addressed to me. They mainly resolve themselves into two: "Why do you lay these Papers upon the Table? and why have you not, or do you not also lay the answers to the despatches contained in the Blue Book?" Now, my Lords, I have already explained, and probably you will not require me to refer to it again, except in passing, what were the circumstances under which this Correspondence took place and under which it was laid on the Table. I do not think it would have been our duty to volunteer it. I do not think it would have been our duty to have laid upon the Table of the House, without the expression of a strong wish that we should do so, Papers relating to the local and internal administration of a foreign and independent Power. But those Papers were moved for by a Member of the other House of Parliament; and I believe it was a fact that a considerable degree of interest was felt in their production—and it was not unnatural that that interest should have been felt, as we all know the greatest possible excitement prevailed in the country as to the relative positions at that time of Russia and Turkey. There were some persons who said that the Russian Government were merely using the Eastern Question as a means to its

own aggrandizement; while others said that Russia was the champion of religious freedom, and was defending an oppressed race against religious persecution. Well, that is a very fair controversy on both sides; and it was perfectly natural that those who do not take the view that Russia is the disinterested champion of religious freedom should inquire what has been her attitude, and what has been the action of the Russian Government, on questions of religious toleration where its own subjects were concerned. I do not think I should have been justified, nor would Her Majesty's Government have been justified, in withholding those Papers. I do not see how we could have justified the production on the one hand of the minutest details of every question which had arisen between the Turkish Government and its subjects, if we had said that in regard to matters which concerned Russia, we thought it our duty to keep back information on the ground that offence might be given to Russian feeling. My Lords, that is my answer why and how these Papers came to be produced. With regard to the other Question—"Why do you not lay the answers upon the Table?" my reply will be one of a very simple character. I believe these despatches were acknowledged in the usual official form; but I distinctly state—and I do not in the least wish to conceal the fact—that I have not thought it my duty in the past, and I do not think it my duty now, to address any representation to the Russian Government upon the subject of the acts narrated in the Papers. I have my own opinion as to the character of these acts—and I should not, if called upon to do so, shrink from expressing it. But before you address a representation to a foreign Government there are two circumstances which you are bound to consider. One is, what is your *locus standi* for making that representation; and the other is, what practical advantage will result from your so doing to those for whose benefit the representation is made. Now, my Lords, looking at the question of *locus standi*, I am bound to say that I really do not know upon what ground I should have been justified in taking this up as a matter of diplomatic controversy. It is purely and simply a question between the Russian Government and the subjects of that country—and I think it would introduce a very dangerous and very inconvenient precedent if we were to set an example in formal official despatches of one Government undertaking to lecture another Government as to the manner in which it conducts its internal affairs. We are told that the Polish war led to official remonstrances and representations on our part. Yes; but that was an entirely different matter. That was a question in which to a certain extent international arrangements and Treaty rights were concerned. The Treaty of Vienna constituted for the Kingdom of Poland a certain organization, and it was thereby made a matter of general European arrangement. Subsequently Russia caused that arrangement to be modified, the Kingdom of Poland as it then existed being destroyed and the administration of Poland being merged in the general administration of Russia. That was a change of an international character, and all those Powers which had been parties to the original settlement were undoubtedly entitled, if they thought fit, to take cognizance of subsequent changes introduced in that way. My Lords, the only other ground which may be alleged—and I do not think it is parallel—is the case of the Bulgarian atrocities, upon which so much has been said. But our position in regard to Turkey last year was wholly different from our position in regard to Russia. When these affairs were going on, Russia was not engaged in any controversy in which we could be called upon to act as mediators. We had never guaranteed the independence of Russia; we had guaranteed the independence of Turkey. In the case of the Bulgarian atrocities, we did not rest upon the general and, I think, rather weak ground of Turkey being a Power whose existence we had guaranteed—we rested upon the special ground that, at the very time when these outrages occurred, we were actually engaged in a mediation, the object of which was to extricate the Turkish Government from the difficulties into which it had fallen; and, as I have said more than once in this House, we had an obvious right to protest in our capacity of mediator against outrages of such a character which, if they had continued, would have made mediation on our part impossible. Nothing of that kind was the case as regarded Russia;

The Earl of Derby

and, therefore, unless we were to act simply on humanitarian motives and were to say—"We denounce in the face of Europe the manner in which you are treating your Polish subjects," we had no ground at all to stand upon. And as I said before, so I repeat now, that I think for any one great Power to set an example of interfering by official representations in the internal affairs of others would be a practice which—however it might commend itself in the first instance to our feelings of humanity—would in the long run tend to produce evils more grave than any which it might remove. My Lords, there is another consideration, and that is, what result would follow from any representations on our part? I am bound to say I do not think the result would have been one of a satisfactory character. It would be quite impossible for us, even if we attempted to do it, to exercise a general supervision over the provincial and internal administration of the Russian Government; and if we were on a single occasion to interfere on behalf of one single class of persons whom we might suppose to have been ill-used, the probability would be that, as soon as our backs were turned—that is to say, as soon as our attention was called to some other quarter—those who had complained, and those who had given us information, and those of the Native population who had solicited our interference, would only suffer the more for the foreign intervention which they had invoked. My Lords, on the ground, therefore, of general principle and on the grounds of practical expediency I have abstained from taking any further part in this matter than such part as I have been compelled to take when these Papers were called for, and when I laid them upon the Table of your Lordships' House. I have explained the principle upon which we have acted, and if it should be assailed in this House, or elsewhere, I shall be prepared to defend it.

LORD STANLEY OF ALDERLEY said, in reply: I anticipated the possibility of the late Secretary of State not having had time to reply to these despatches, but it was to be expected that some of the late Government might take this opportunity of reprobating the action of the Russian Government. In any case the Catholics are not likely to feel any excessive gratitude for the rather lukewarm advocacy of the noble Marquess.

Motion (by leave of the House) *withdrawn.*

CHURCH OF SCOTLAND—(THE PAROCHIAL ELECTORATE)—OBSERVATIONS.

THE EARL OF MINTO, in rising to call the attention of the House to the Return presented to the House (Paper No. 5 of the present Session) relative to the composition of the Parochial Electorate for the appointment of parish ministers created by the General Assembly of the Church of Scotland under the provisions of the Church Patronage (Scotland) Act, 1874, and to the insufficiency of the information afforded therein, said, he must commence by reminding their Lordships that by that Act a totally different system of regulating the government of the Church of Scotland had been introduced, and that the General Assembly were thereby empowered to make regulations by which the appointment of the ministers should vest, not in the parishioners simply, but in the congregation. Under the joint legislation of Parliament and the General Assembly two classes of electors had been created—namely, First, all persons on the Communicant Roll, without distinction of sex, age, or residence, became, *ipso facto*, electors; secondly, all such other persons being parishioners of full age as have claimed to be enrolled, and . . in regard to whom there appeared to the kirk-session to be no reason for refusing to admit them to the communion if they should apply. He thought that the effect of having these two classes of electors might be, in some cases, to introduce the element of electioneering strife into the appointment of a minister—and it was to be noted that, under the regulations, the claims for admission to the electoral roll were neither to be made nor considered until the very eve of the election, when, perhaps, the heat attending a contested election had already begun to be manifested. But what he particularly wished to point out was the peculiar result that the passing of the Act had had in giving the preponderance at elections to the female element in the congregation; and his object in moving for the Return last Session was to see how far his anticipations in that respect had been verified; and he found that they

had been verified in a remarkable degree. He would not trouble the House by going into details, but he found that, with the exception of one parish in the Presbytery of Dunbar, the female communicants greatly preponderated. He found that altogether in the 75 parishes embraced by the Return, the number of electors was 40,000 who qualified as communicants, and of those 16,309 were male and 23,691 female, giving to the female electors a majority of 7,382. That was the general result, and with only one or two exceptions—one being a case in which there was an actual tie—there was a great preponderance of females over male electors. He would only mention one or two isolated cases to show how great this preponderance was. In St. Stephen's, Edinburgh, for instance, there were 1,924 communicant electors, of whom 1,394 were females and 533 males. In the parish of Blair-Athole there were 236 female to 157 male electors; in St. Andrews, 1,135 females to 605 males; and in Montrose only 930 male communicant electors to 1,927 females. There was no doubt, therefore, that the female element vastly preponderated. It might be defended perhaps, but it was rather a remarkable thing, and it certainly seemed to him to be contrary to the spirit of the old Reformers that women should possess so large a power in the government of the Church; and their Lordships would remember that John Knox was not very complimentary upon this subject, designating them as "the monstrous regiment of women," and demonstrating that women from their qualities both of mind and body should be assigned over to the dominion of men. It was for this reason that he moved for these Papers last year. At the same time, he considered the Return as produced somewhat deficient, giving no information as to the number of the electors below 21 years of age, and not saying whether they resided in the parish or not. It seemed to him that the number of electors who were non-parishioners ought to be returned; but upon that point they got no information at all. It was very desirable to have more information respecting the age of the communicant electors, because they knew very well that young people, especially women became communicants long before they attained the age of 21, and therefore they might have a very much larger proportion of female than of male electors under the age of 21. He would not detain their Lordships any longer. The noble Duke (the Duke of Richmond) had always shown himself most courteous in furnishing information, and no doubt he thought that that which had been furnished was sufficient—and in fact he had said that the other information he desired was unattainable; but inasmuch as by the General Assembly's own regulations no one was an elector of the second class, unless he or she was a parishioner "of full age," he could not understand the alleged impossibility of procuring precisely similar information in regard to communicants voters as was required in respect of non-communicant voters. He would conclude by suggesting that in some respects the free action of the Church might advantageously be enlarged. In a recent debate in the General Assembly, it had been broadly laid down by the Procurator of the Church, that it was incompetent for the Church to carry out any essential modification in the tenor of a certain formal document then required to be signed by Elders on taking office. He would, therefore, suggest whether it would not be well to give to the Church greater power of self-government than it at present possessed.

THE DUKE OF RICHMOND AND GORDON said, he would not follow the noble Earl through all the details into which he had entered. He was somewhat at a loss to understand to what particular point in these Returns the noble Earl had called attention to. The noble Earl seemed to desire some further information; but he assured the noble Earl last year, and he assured him again now, that that information could not be obtained—for the reason that it did not exist—the electoral roll contained no information as to how many male or female communicants there were under the age of 21. The noble Earl complained of the insufficiency of the Returns, but they contained all the information for which he had asked. The noble Earl seemed to think that the number of lady voters was an ob[illegible] but he carefully avoided [illegible] comparison between the [illegible] Knox's time and of the [illegible] unless the noble [illegible] lady of the [illegible]

worse than the lady of the time of John Knox, he did not think he could allege the number of lady electors in the Church of Scotland as an objection. If he recollected rightly, the question with respect to the lady voters was discussed on the passing of the Bill, and their Lordships did not favour the proposal to exclude them, and the principle of election which was adopted had the sanction of the noble Duke opposite (the Duke of Argyll). In his opinion it was premature to propose any amendment to the Act, or to interfere in any way with the constituent body who were to have a vote in the election of ministers in the Church of Scotland.

INDIA—THE AMEER OF AFGHANISTAN.

QUESTION. OBSERVATIONS.

THE DUKE OF ARGYLL rose to ask a Question of the Secretary of State for India, in respect to the relations of the Government of India with the Ameer of Afghanistan. In doing so, he wished to explain that he had purposely framed his Notice in a vague way, because he had no wish to say anything that could possibly embarrass the Government, either at home, or in India. All he wished was to afford the noble Marquess an opportunity of making a statement that might help to extricate the Government in India out of the position of embarrassment in which it had been placed by, it seemed, unfounded rumour. The fact was, that the Foreign relations of the Government of India had been always peculiar. The relations of the Government with Indian Frontier States differed from those with civilized European nations, because the former were in a semi-barbarous condition, and the communications with, and with regard to them, had to be made in a somewhat irregular manner—we had no recognized Representatives with them, and they had none with us. Therefore Governmental communications between the Home and Indian Governments had to be conducted to a great extent by means of private letters, personal communications, and telegrams—documents that it was not easy to convey to the public in the shape of Parliamentary Papers or Returns. This had been his experience while at the India Office, and he did not suppose that of the noble Marquess who succeeded him was widely different. In fact, during his tenure of Office he had become convinced of the fact that the Government of India by telegrams and private letters and instructions must have its limits—and more especially was this so in reference to our relationship with independent States. It was, in fact, impossible to get real secrecy in India—a point to which reference was made by a noble Lord, then a Member of their Lordships' House, in speaking with reference to the transfer of the Indian Government from the East India Company to the Crown—his argument was, that you could not expect it from the servants of the Company, but might from the servants of the Crown. Now, as regarded the foreign policy of the Government of India, that policy was shaped by the Minister at home, who formerly acted through a Secret Committee, and therefore the change of name from Company to Crown did not in that respect produce any serious effect; but much depended upon the good faith of the servants of the Crown in India. No doubt the Members of the Government in India were not in the position of Cabinet Ministers at home. They were not and did not consider themselves as being under the seal of secrecy;—and, in truth, it was impossible to issue instructions in India and to act upon them without their becoming matter of public notoriety and talk in all the barracks in India; and the result was that what was intended by the Government came out, and generally came out in a most inconvenient form, and often tinctured with great exaggeration, misconstruction, and misapprehension. This misapprehension, as it seemed, existed in regard to the intentions of the noble Marquess opposite in respect to the relations of the Government of India with the Ameer of Afghanistan. Perhaps, it might be said that among the many qualities of some of the high and distinguished men forming the Government of India reticence was not the most remarkable; and certainly one of those eminent men the other day, in making a Budget speech, alluded to the question of foreign policy in a manner which gave rise to very serious speculation and alarm. So far for the form of the Question he had put upon the Paper. A few words as to its substance, as to which he had given the noble Marquess some private explanation. Terrible mistakes had been made

in the Government of India which led to the war with Cabul, and which, in their results, went at one time very near to shake the power of the British Government in India. Ever since that disastrous, but ultimately triumphant, war, the relations between the Government of India and the Ruler of Afghanistan had been a matter of anxious and serious consideration. The policy of the last three Viceroys of India towards that country had been one of watchfulness and friendly support. We did not wish to tangle ourselves in any permanent arrangements towards that Sovereign. Eastern Sovereignties were liable to sudden changes, and in the Royal Family of Cabul there had been a series of assassinations and murders under circumstances of atrocious treachery which rendered the tenure of any Sovereign of that country essentially insecure. It did not appear to the noble Lord (Lord Lawrence)—it did not appear to Lord Mayo—whose name he could never mention without an acknowledgment of the affection and respect with which he remembered him—it did not occur to his noble Friend behind him (Lord Northbrook), that it would be wise or judicious to enter into any permanent Treaty to be binding as between the Ameer and the Government of India. It was considered sufficient to show the same friendly feeling towards that Ruler as had theretofore existed, and to act towards him in a friendly manner. Above all, there was one point which was frequently a matter of discussion in the Government of India—namely, whether it would be wise to send to Cabul a resident Envoy. As to this point, he felt very much as the noble Marquess did on Monday night, when he spoke on the subject of the appointment of a Consul in Central Asia. No doubt, it might be very important to have a Resident at Cabul, if we could get a man for the place and that he was received with cordiality; but it was notorious that for a long time past the present Ameer had set his face against having such an officer at his Court, and he was bound to admit that there was much to be said on behalf of the objection of Indian Princes to having Residents at their Courts. The truth was, that by the necessities of the case the position, influence, and power of the Resident threw into the shade the authority of the Native Sovereign, who knew very well that the appointment of such an officer had been one of the steps by which British aggression had gone on and British dominion had been established. He could hardly believe, after all the friendly conduct they had pursued towards the Ruler of Afghanistan, they could have any serious intention of adopting aggressive measures as regarded that country, and yet its people were so jealous and so notoriously suspicious a race that it might well be that such a suspicion had entered into their mind; and if we were to send a Resident Representative to that Court they might regard it as a serious danger. That rumours existed on the subject there could be no doubt. The noble Marquess had not perhaps heard of the reports which were in circulation; but such rumours had reached his ears through channels which left no doubt in his own mind that there was some particle of truth in them accompanied by the greatest possible exaggeration. Rumour said that the Government of India had determined upon a complete change of policy, and had resolved to insist on the Ameer receiving a Resident British Envoy at his Court. It had been said, too, that a particular officer had been appointed, or was likely to be appointed—one whom he knew to be a man of great ability and energy, and who on that very account would be regarded by so jealous a personage as the Ameer with all the greater suspicion. But there were more formidable rumours still—namely, that this change of policy had been backed by a movement of a considerable body of troops under circumstances not easily understood, but which seemed to point to aggression on the North West Frontier—even that a bridge of boats had been prepared on the Indus; and that, alarmed by diplomatic demands and military arrangements, the mind of the Ameer was thoroughly unsettled—that he was in a state of agitation and anger, and was collecting troops to resist aggression, or perhaps to make an aggressive movement upon India. The Ameer of Afghanistan was not perhaps a great Power; but another Afghan war would be, he need hardly say, a very serious matter. But though they had, of course, no cause to dread such a movement, at the same time, another war would cost several millions of

money, and it would, in any event, be a great misfortune if our good understanding with the Ameer were seriously disturbed. He was bound to add that if he had put his Question 10 days ago he might have been suspected of doing so from a fear that the noble Marquess was affected by Russophobian propensities; but, after the speech the noble Marquess delivered in their Lordships' House last Monday, followed by his speech the same evening at the Merchant Taylors' Hall, he could now have no such apprehension, and he could not but thank the noble Marquess for the language he held on those two occasions. Although those speeches assumed a light form and administered some friendly "chaff" to certain alarmists, he believed the noble Marquess's language had served to calm the public mind both in India and England. It was, however, all the more important that the noble Marquess should have an opportunity of giving their Lordships' House and the country an assurance that he did not contemplate any serious change in the policy heretofore pursued towards Afghanistan; and, above all, that he desired to continue, at all events, that friendly, but watchful, course of conduct which he believed was the only safe course to adopt in our relations with such a Sovereign as the Ameer.

THE MARQUESS OF SALISBURY: My Lords, I have no cause to quarrel with the noble Duke in reference to the maxim he has laid down with respect to private letters. I quite agree with him that an over-use of them would be a thing to be deplored. But, we have a tradition in the India Office that it was with the noble Lord at the end of the bench opposite (Viscount Halifax) that the excessive use of them originated—I have no doubt that in the political circumstances with which he had to deal his success was a sufficient justification of his action. No doubt, it would be undesirable that a full record of the proceedings of one Government should not be left for the benefit of their Successors; but I need not say that it does not follow that because our instructions prescribe adherence to that system, those documents can be laid upon the Table of your Lordships' House. I am bound also to concur entirely with the noble Duke as to the singular difficulty which is placed in the way of the Indian Government by the curious talkativeness of the English officials in India. I do not for a moment mean to include all Indian officials in that censure; but there are no doubt some who talk about the public business of the Government to their friends. In spite, however, of the gloomy picture which my noble Friend drew — and to which to some extent, I must say, I subscribe—I think that matters are mending in that respect, and that, on the whole, the Governments of India are learning the necessity of imposing greater reticence on the part of those they employ in public matters. The public of India have, however, become so accustomed to a free and frank disclosure of all the Government are doing, that when they are unable to obtain the usual information they are very apt — with imaginations perhaps warmed by an Indian sun—to supply the facts which they are anxious to obtain, and the result is these strange stories which have frightened my noble Friend as to the prospects of our Indian Empire. Of course, it is perfectly true that there has been a Conference at Peshawur. A great many subjects were discussed at it; but it will be difficult to produce Papers, because the politics of the East, much more than those of the West, are of a personal character; and often communications, which, if they occurred in Western nations, it would be very easy to lay upon the Table, involve in the East the personal feelings of Potentates to such an extent as to make such disclosures inexpedient. Therefore, the conversations which occurred at Peshawur are not matters which I could prudently place on record among the Papers laid before Parliament. There is another observation which I should like to make. The noble Duke alluded to the fact that the Ameer of Afghanistan does not allow a British Envoy to reside at his Court. The noble Duke evidently regards this refusal as an act of semi-barbarism, and said that the Ameer of Cabul was the only Potentate with whom we had relations over the globe who would not receive our Envoy. I am not prepared to dispute the liberty of action belonging to the Ameer; but the result is, that we are obliged to communicate with him in a more formal and open method than would be otherwise necessary, and that suggestions, explanations, and requests which, if we had ordinary diplomatic

relations with the Ameer would be sent through a British officer residing at his Court, have, as matters stand, to be sent through some other diplomatic channel. There must be numerous Papers constantly proceeding through the Foreign Office to Ambassadors and others which are never heard of by the public. The Ameer does not think it right to have an Envoy at his Court, and many of such communications, necessarily, take a more formal shape. Indeed, the Conference held at Peshawur was arranged at his request. With respect to the information asked for by the noble Duke, I can hardly give him much positive knowledge; but I think I can give him some negative information. He has derived from the sources open to him the following statement, as I understood him—that we had tried to force an Envoy upon the Ameer at Cabul—that we had selected for that purpose Sir Lewis Pelly, whose vigour of mind and action might possibly inspire apprehension in the Councils of a Native Prince—that we had supported this demand by a large assemblage of troops on the North-Western Frontier, and that we were preparing boats upon the Indus. Now, we have not tried to force an Envoy upon the Ameer at Cabul—we have not suggested Sir Lewis Pelly as an Envoy to Cabul—the troops were assembled on the North-Western Frontier without the slightest reference to any such demand; and with regard to the boats on the Indus, I never heard of them until to-day. Our relations with the Ameer of Cabul have undergone no material change since last year. I do not believe that he is worse disposed towards us than hitherto, or that his feelings are in any way more embittered towards the British Government. I cannot follow the noble Duke into a discussion of his character; nor can I enter upon that very thorny question, how far the great movements of the principal European Powers are connected with the events to which he refers. The matter is one deserving serious attention, and when the occasion arises it will call for proper precautions. There is no doubt that the contest between Russia and Turkey has produced among the nations bordering on India a certain recrudescence of Mussulman feeling which I do not think will issue in any action attended with the slightest danger to our Indian Empire, but which may very well cause vigilance and care on the part of the British Government, and may induce those who are always on the look-out for news in India to imagine that something stronger and more definite has occurred than has really happened. If it is necessary to re-open the Conference it will be done under better auspices. I only wish emphatically to repeat that none of those suspicions of aggression on the part of the English Government have any true foundation; that our desire in the future, as it has been in the past, is to respect the Afghan Ruler, and to maintain as far as we can the integrity of his dominions. There is no ground for any of the apprehensions to which the noble Duke has referred, or for suspicions which are too absurd to be seriously entertained. The affairs of the Frontier are maintaining a peaceful aspect, with the exception of a little trouble with a local tribe—the Afreedees. We have also maintained our relations with Khelat, and the Papers we have laid on the Table will explain what has occurred. But there is no reason for any apprehension of any change of policy or of disturbance in our Indian Empire.

LORD LAWRENCE said, that so far as Central Asia was concerned, there was nothing to be desired beyond the statement of the noble Marquess to the House, coupled with that made "elsewhere" on the previous Monday; but, with regard to our policy on the North-West Frontier and our relations with Cabul, he feared that something more had occurred than had yet been heard of. It seemed unlikely that all the doubts, forebodings, and suggestions which had appeared in the Indian papers should have so little basis as contended for in the explanations of the noble Marquess. It was clear from the Indian papers, and he included those which supported the action of the Indian Government, that something of very considerable importance had occurred to cause agitation on the North-West Frontier of India. With regard to the late Conference at Peshawur, it was generally understood that certain demands were pressed on the Ameer of Cabul which had caused him much distress and perplexity of mind. It was asserted that this perplexity mainly arose in consequence of the movements of

The Marquess of Salisbury

Russia against Turkey. He would not deny that there was a certain amount of interest felt by the Mahomedans of India in the conflict now going on in regard to Turkish possessions. From a long experience of Mahomedans, he was convinced that while a certain number of religious and learned men, leaders of the faith of Islam, as well as men who had actually made pilgrimage to Mecca and Medina, would probably have strong feelings on the subject of the present war, the great mass of the Mahomedan community had no lively interest in the contest. But it seemed certain to him that some great change affecting the relations of Afghanistan with the British Government had been actually contemplated, and that this was the origin of the anxiety at Cabul. It was now 20 years since he (Lord Lawrence) had made the Treaty, which still existed, between Dost Mahommed, the late Ruler of Cabul, and the British Government. Previous to that time the Ameer had been our prisoner, and by Lord Ellenborough had been magnanimously restored to his own country. At the time of the Treaty of 1857, and before his death in 1863, the Ameer had warned him (Lord Lawrence) against lending the support of the British Government to the conflicting pretensions of his sons, and advised him to allow them to fight it out. In consequence, he steadily refused his support to any party until one got the upper hand. The old Ameer, Dost Mahommed, received two British officers, and allowed them to go to Kandahar, where they remained so long as they could do so with safety. But the elder of them, the present Sir Harry Lumsden, assured him that, owing to the espionage practised on him at Kandahar, less information was obtainable there than could be got, without difficulty, at Peshawur, where travellers and traders from all parts of Central Asia met each other and talked freely, without fear of interference. One special circumstance calculated to affect the mind and influence the policy of the present Ameer was the late occupation of Quettah, which was in the direct line of communication between Scinde, the Bolan Pass, and Kandahar. That occupation was a direct challenge to the Afghans, and an exceedingly unwise step, if we desired to cultivate friendly relations with them. As to the invasion of India from Central Asia, he could only endorse the clear and forcible remarks made by the noble Marquess himself the other day. As regarded the occupation of Quettah, independent of the political objections to which he had already referred, it struck him that much might also be said as to the military disadvantages of such a movement. Those who had for years advocated this policy looked on Quettah, at the head of the Bolan Pass, as the proper position whereby, on the one hand, we held a command of the pass and the mountain country on both sides against an invader, and, on the other hand, would be able to move rapidly, if necessary, on Kandahar and Herat, or from Kandahar towards Cabul, so as to meet or to take in flank an enemy moving from Herat towards Cabul. A small body of troops, however, at Quettah, far advanced from effectual support, would be liable to be cut off, if attacked in force by a formidable enemy from the West, while a body of troops at Quettah, sufficient to meet such an enemy advancing from Herat, or moving by that place towards Cabul, should be of the dimensions of a considerable army, with suitable reserves in the rear. In the first Sikh war we had an instance of the evil of placing a force far advanced from its supports at Ferozepore, when it required all the courage of the late Lord Gough, and all the sagacity of the late Lord Hardinge, to prevent that force from being destroyed. In that instance our troops were hurried forward, and had to fight the battles of Moodkhee and Ferozeshur at great disadvantage. If what had been stated by the noble Duke, however, who preceded him was a delusion, that delusion had spread to England. The noble Duke had also made some allusion to the movement of troops. What he (Lord Lawrence) understood to be the case was, not that any troops had been actually put in motion, but that they had been told off to be in readiness in their several cantonments, and that to this end the collection of carriage and supplies in considerable quantities had been ordered. Further, he was credibly informed that a bridge of boats had been built at Koshalgurh, on the Indus, for the passage of troops to Kohat. It was impossible to guarantee secrecy or to prohibit discussion while such preparations were being made. He (Lord Lawrence) further

thought that there was a third cause of probable offence to the Ameer. The Maharajah of Kashmir had been encouraged to advance troops beyond Gilgit towards Chitral, so as to obtain a command of the passes leading from Eastern Turkistan, and with that view we had given the Maharajah 5,000 stand of arms. It was impossible that these matters, even if they were no more than talk, should not come to the ears of the Ameer, and cause irritation. In fact, in the Ameer's view of the case, he, no doubt, would consider himself threatened at three different points. First, there was the occupation of Quettah; secondly, there were the rumours of troops being about to move, and the collection of supplies and carriage on our frontier; and, thirdly, the encouragement held out to the Maharajah of Kashmir. At all events, the noble Marquess might let the House have the Papers, as it was important that they should know the actual Correspondence that had passed on the subject. There was another rumour to which he would call the attention of the noble Marquess, though it was not immediately connected with this subject—namely, that the Governor General intended to divide the Punjab and place ths whole of the Trans-Indus Territories under a separate Government. He had a strong feeling of affection towards the Punjab and the people of the Province, who would thereby be seriously affected, and he could not help thinking that it would be a serious political error, as well as a great misfortune, if there should be a break-up of the Punjab system and Government. His reasons for so thinking were as follows—to say nothing of the changes in the internal administration, which would require to be treated at too great length to be clearly understood, and the disruption of the frontier districts from the main portion of the Punjab, the transfer of the frontier and local force from the control of the Lieutenant Governor to that of the Commander-in-Chief would probably follow. This change had from time to time been advocated, but had hitherto been resisted with success. The Frontier Force, from its first formation—now 28 years ago—had been the main instrument whereby they had guarded a large portion of the North-West Frontier with uninterrupted success. It had borne all the predatory attacks of the adjacent hill tribes; it had secured our occupation of the Border districts; and, above all, it had proved of the greatest value in all the great troubles of the Mutiny of 1857. He might say a great deal on this last subject, but would content himself with one instance of its value. When the Mutiny broke out they had six regiments of Native Infantry and one corps of Infantry and Cavalry—the latter known as the "Guide Corps"—in the Peshawur Valley. The latter force was moved at once towards Delhi; it marched a distance of about 500 miles in 15 days, and joined in a severe action which was fought under the walls of the city on the day of its arrival. On the other hand, such was the condition of the six Regular regiments of Infantry that we had to disarm five of them and carefully watch the sixth. Of the 11 Infantry regiments which composed the Punjab Force, and which had been allotted to the Frontier defences, no less than five fought at the siege of Delhi, and, from first to last during the Mutiny, they lost from one-fourth to one-half their numbers; and on no single occasion that he could recollect failed to distinguish themselves in action. The officers and men of this Force, whether English or native, were proud to hold their position as a separate body devoted to a particular duty; and their identity, when placed under the Commander-in-Chief, would be in danger of being gradually lost. At present they were, in the discharge of their duties, closely connected with the people and the police of the districts in which they served, and depended much for their usefulness on their good relations with the villages generally, of the Border, and thus they obtained valuable information of what might be going on in the hills, and these advantages by the change contemplated were very likely to be lost. One of the main grounds, he believed, which had been put forward in favour of a change of system on the North-West Frontier was the assertion that unnecessary expeditions against the hill tribes had from time to time been undertaken. But he had found that no one of the expeditions which had been made into the hills had been made except after all reasonable attempts had failed to bring the particular tribe against whom the expedition was di-

rected to reason, and to induce it to respect British territory. If we occupied the tracts lying between the Indus and the mountain ranges, and required the inhabitants to pay revenue, we were bound to maintain order and protect them from depredation; and if tribes in the hills, who from time to time invaded our territory, could not be restrained by purely defensive measures, we had nothing for it but to retaliate and invade the lands of the spoilers. These expeditions, as a rule, had the best effect. It had been rare that a second expedition against a tribe became necessary, and it might be said that from year to year this necessity had diminished. In conclusion, all the inhabitants of the Frontier districts who wished for the continuance of our rule must, he thought, be supporters of the present system. The government of that Province had now for nearly 30 years been carried on with signal success. If they broke up the Administration, divided the Province and destroyed its symmetry, they would infallibly reduce the local Government to comparative insignificance, while all that forcible and continuous unity of action, which had resulted from entrusting the internal government as well as the policy of the Frontier to one and the same hands, would be weakened, if not entirely destroyed.

THE EARL OF NORTHBROOK: My Lords, the Question put my noble Friend the noble Duke behind me (the Duke of Argyll) is one of such great importance that, having had so recently myself to deal with some of these subjects, I wish to say a few words in this debate. I can assure your Lordships that it is my most anxious desire to give all the support in my power to the noble Marquess and the Government of India in the management of the affairs of that country. I wish to add a few words to what has been said by the noble Duke, and to express the great gratification with which I listened to the speech of the noble Marquess the other night, and read the speech which the noble Marquess made elsewhere, in which he expressed in language more powerful than I can use the views which I entertain upon the subject of the alarmist statements made from time to time with regard to the possible dangers of India from Russia. It was also with great pleasure that I heard what fell from the noble Marquess to-night. I have shared very much in the anxiety expressed by my noble Friend who has just addressed your Lordships with so great authority —for there is no man in this country or in India, I may say, who has so perfect a knowledge of the whole policy which for many years has been pursued with respect to Afghanistan and the Punjab as my noble Friend—there is no man in India, to my knowledge, whose opinion carries so great weight both with the Natives and the English officials as that of my noble Friend, and therefore the language which my noble Friend has used must have great weight with your Lordships. I have shared very much in the anxiety expressed by my noble Friend lest the rumours which appeared in almost all the Indian and English newspapers touching what is supposed to have happened lately as regards negotiations with Afghanistan have been correct. Now, my Lords, we have heard from the noble Marquess that we need be under no apprehension of any substantial change in the policy pursued towards the Ameer of Afghanistan. I heard that with the greatest possible satisfaction, because I feel it would be no light matter to change a policy which has been pursued deliberately by successive Governments in this country, and which has received the cordial support and approval of men like Lord Canning, my noble Friend who has just addressed your Lordships, and Lord Mayo. We have heard from the noble Marquess that it is not correct to say that the Ameer of Afghanistan has been pressed to receive a British Resident at Cabul, or that there was any intention, as I understood the noble Marquess, of sending a British Force from India to Afghanistan with any hostile intent. Now, that was the rumour which caused me and others much anxiety. My Lords, I will not detain your Lordships by going into any historical question at any length, or stating the principle of the policy which has hitherto been pursued. I agree with almost every word that fell from my noble Friend who last addressed the House. It is necessary, in dealing with Princes of the class of the Ameer of Afghanistan, to make great allowances for the position in which they are placed, and all the circumstances connected with them. We cannot expect

to carry on negotiations with the Ameer of Afghanistan in the same manner as with European States. The policy we have pursued with regard to the Ameer has been to show him that we desired to assist him with our advice whenever he requires it, and not to press upon him the presence of British officers in his territories, unless he really desires that they should go there, and will give him a welcome. I feel satisfied that if that policy is deliberately adhered to now, as it has been for many years, whatever difficulties may have arisen for the time being, and whatever suspicions may be entertained by the Ameer—from what cause I, not being acquainted with the facts, will not inquire—will disappear, and that the Ameer will soon see that his suspicions have no foundation, and will look upon us—as every sensible man in his position must—as his best friends, and as those to whom, in certain circumstances, he will have to apply for assistance. It is with great satisfaction, therefore, that I have heard the assurance of the noble Marquess that the policy I have referred to Her Majesty's Government will continue to pursue. I am satisfied that he has given us that assurance in perfect good faith, and that we may trust him to resist any attempt to put it aside. Turning to incidental matters, to which reference has been made to-night, perhaps your Lordships will allow me to say a word or two in favour of the Public Servants in India. It has been stated that we cannot always rely upon our Indian Public Servants preserving the secrecy that in some cases is absolutely necessary to enable us to conduct negotiations. That is not my experience of the Public Servants in India. I believe them to be as honourable and as discreet a body of men as can be found in this country, and that they may be trusted implicitly to keep secret any confidential matters that may be communicated to them. I am able to state, from my own experience, that when I had the honour of being connected with my noble Friend the Duke of Argyll, when he was Secretary of State for India, a confidential matter of some importance relating to India appeared in one of the newspapers, and the noble Duke wrote to me to endeavour to ascertain how the matter had become public. Curiously enough, I ascertained that the secret had been divulged, not in India, but in this country. I will not say by whom. With regard to the request of the noble Lord who spoke last (Lord Lawrence), that Papers relating to this subject may be laid before your Lordships, I have sufficient knowledge of what passes in those communications not to support the noble Lord's demand, because I am satisfied that there are matters in some of the communications between the Secretary of State and the Indian Government upon this subject which it would not be for the public interest to present to this House. In reference to this point, I may say that it would have been an entirely wrong course to pursue, and quite unconstitutional, had matters of this grave importance been conducted between the Secretary of State for India and the Viceroy of India by means of private letters. The Government of India is not conducted by the Governor General alone, but by the Governor General in Council. The Governor General has undoubtedly the power in matters of importance to overrule his Council; and the latter, on the other hand, have an opportunity of recording their opinions, if they differ from him. Parliament in its wisdom—and I am satisfied from my own experience—has rightly taken care that no matter of importance shall be conducted in India without consultation being held between the Governor General and his Council, in order that the latter may have an opportunity of discussing it. Therefore, I think that it is quite impossible for a matter of grave importance to be transacted in India by means of private communications between the Secretary of State at home and the Governor General in India. During the four years that I was in India, I found no inconvenience whatever arise from this arrangement; but that it resulted in the greatest advantage to the Public Service that men of Indian experience should be at hand to give me freely and frankly their opinions on all matters of importance. With regard to the power of the Governor General to enter into treaties to guarantee the integrity of the possessions of any Native Prince in India, Parliament has gone even further, and by an Act which still remains on the Statute Book, has enacted that the Governor General shall have no power to enter into such a Treaty without the express sanction of Her Majesty's Government. In these circumstances I

am glad to hear from the noble Marquess that his Instructions, although they cannot be made public just at present with advantage to the Public Service, are framed in accordance with the practice I have described. With reference to a matter which has been alluded to by the noble Lord who spoke last (Lord Lawrence), I may say that I do not think that it is wise to occupy a post so far from our own Frontier as Quettah. To do so might very possibly cause apprehension on the part of the Ameer of Afghanistan, and also bring us into collision in that part of the country with tribes who are by no means quiet and orderly. With regard to another subject mentioned by the noble Lord who last addressed your Lordships — namely, a proposal that I understand has been made for some alteration in the territorial distribution of India, by which a strip of land 800 miles long by 50 broad in the other side of the Indus is to be separated from the Government of the Punjab, that proposal was very thoroughly discussed some years ago, and was put aside, and during the time I was in India it was never revived. I feel satisfied that all the reasons adduced by the noble Lord against that proposal are sound, and that it would be a grave error of policy, and attended with grave risks, to attempt to make such an alteration. India is a country in which we cannot afford to make rash changes. Whatever may be my policy in this country, I confess that my policy as regards India is eminently Conservative. We must remember, in dealing with that country, that we have to do with a people who do not understand us, and who cannot follow our reasoning, and who are more Conservative, perhaps, than any others in the world. And, moreover, if there is any part of India to which this observation applies more particularly than to another it is the Punjab. That is a part of the country in which we cannot afford to try experiments, the people being the most spirited, and being the best soldiers in India, and hanging together more than elsewhere. I ask the noble Marquess, therefore, to let us have the Papers upon this subject at all events laid before us, so that we may feel assurred that it is one on which due deliberation has been had, and on which men of experience have been consulted.

VISCOUNT HALIFAX addressed their Lordships, but was inaudible.

THE MARQUESS OF SALISBURY, referring to a matter which had been introduced incidentally by the noble Earl who had recently spoken, said that at present he had received no Papers with reference to any territorial arrangements in the Punjab.

IMBECILE, LUNATIC, AND OTHER AFFLICTED CLASSES (IRELAND) BILL [H.L.]

A Bill to amend the Laws providing for the care of Imbeciles, Lunatics, and other Afflicted Classes in Ireland—Was *presented* by The Lord O'HAGAN; read 1ª. (No. 110.)

House adjourned at half past Eight o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 15th June, 1877.

MINUTES.] — PUBLIC BILLS — *Ordered—First Reading*—Bankruptcy Act (1869) Amendment [199].

Second Reading—Roads and Bridges (Scotland) [65].

Committee—Summary Jurisdiction Amendment (*re-comm.*) [173], *debate adjourned.*

Considered as amended — *Third Reading* — Pier and Harbour Orders Confirmation (Nos. 1 and 2) * [125 and 196], and *passed.*

Withdrawn—Franchise Extension (Ireland) * [19].

QUESTIONS.

The House met at Two of the clock.

ROYAL IRISH CONSTABULARY — CASE OF CONSTABLE MOLONEY.

QUESTION.

MR. GRAY asked the Chief Secretary for Ireland, Whether the name of Constable Moloney, of the Royal Irish Constabulary, has been circulated in a printed document to every constabulary barrack in Ireland as having been dismissed the force for absenting himself when chargod with a disgraceful offence; whether the Inspector General of Constabulary has refused to remove his name from this document when so requested; whether,

if so, this is the same Constable Moloney who was dismissed the force without trial on the above charge, who subsequently took an action against the Inspector General and was nonsuited on the plea of privilege, and who, eventually, on appeal to the Lord Lieutenant, was reinstated, and his back pay and costs refunded him; and, further, to ask the amount of the legal and other charges connected with the dismissal of Constable Moloney, and from what source they had been, or are to be defrayed?

SIR MICHAEL HICKS-BEACH: Sir, the constable referred to is the same person that was dismissed from the Royal Irish Constabulary, and subsequently reinstated in the mode described in the third paragraph of the Question. The statements in the paragraph are, I believe, correct, except that I think the constable was nonsuited in his action against the Inspector General, not exactly on the plea of privilege, but because the Court, without entering on the merits of the case, held that the dismissal was the act of the Lord Lieutenant, and that no action could lie against the Inspector General. It is also true that after the constable was re-instated, although his discharge was cancelled in the official registry at head-quarters, this was inadvertently omitted to be done in one of the printed documents which are periodically circulated to the Constabulary barracks, showing the rewards or punishments of members of the Force. I have made inquiries into the matter, and have informed the Inspector General of Constabulary that, in my opinion, the record of discharge ought also to have been cancelled in this document, and, of course, care will be taken that the omission is not repeated in similar cases for the future. But it is right to add that Moloney, having observed an article on the subject in a Dublin newspaper with which, I believe, the hon. Member is connected, voluntarily stated that he had not been persecuted or held up to odium since his re-instatement, that no member of the Force had accused him or alluded to the charge on which he had been discharged, and that when he made an application to have his discharge cancelled it was granted; and he complained of newspaper allusions to the subject. I scarcely understand the paragraph of the Question relating to the legal and other charges connected with the constable's dismissal. Of course the dismissal of a constable does not entail such charges, and though a Constabulary Court of Inquiry was held on the case before his re-instatement, no legal charges were incurred on behalf of the Constabulary, and the ordinary costs of holding the Court, which would be very small, would be defrayed from the Constabulary Vote.

THE CONSTABULARY CANTEEN, DUBLIN—CANTEEN FUNDS.—QUESTION.

MR. GRAY asked the Chief Secretary for Ireland, What is the present amount of the Canteen Fund at the Royal Constabulary Depôt, Phœnix Park, its average annual increment, and to what purpose it is contemplated eventually to devote it; whether he is aware that the accumulation of regimental canteen funds is, by the Queen's Regulations, restricted to a maximum of £50, they being then devoted to the recreation of those who contributed them; and, whether he purposes instituting a similar regulation for the Constabulary Canteen Fund?

SIR MICHAEL HICKS-BEACH: Sir, I stated a few weeks ago, in reply to the hon. Member for Longford (Mr. O'Reilly), that the canteen fund up to December 31, 1876, amounted to £3,016 4*s*., and I believe that early in the present year the average profits amounted to about £60 per month. I believe that the accumulation of regimental canteen funds is restricted as stated by the hon. Member. I think it is to be regretted that so large an accumulation has been permitted in this case, and immediately on my attention being called to the subject by the hon. Member for Longford I desired the Inspector General of Constabulary to consider the matter in order that some plan may be adopted by which the interest on the present accumulation may be utilized for the benefit of the Force, and proper restrictions be placed on such an increase for the future.

INLAND NAVIGATION (IRELAND)—BALLINAMORE CANAL.—QUESTION.

CAPTAIN O'BEIRNE asked the Chief Secretary for Ireland, If his attention has been directed to a Resolution of the Fermanagh Grand Jury, dated 2nd March 1877, wherein it is stated that

the Ballinamore Canal, between Lough Erne and the River Shannon, has been unfit for commercial use since 1860, the canal being the only connecting link between all the northern and western canals of Ireland, and what course the Government purpose taking relative thereto?

SIR MICHAEL HICKS-BEACH: Sir, I have made every inquiry, but am unable to find that any such resolution as that alluded to by the hon. and gallant Member has been forwarded to the Irish Government by the Grand Jury of Fermanagh. I fear, however, that the state of the Ballinamore Canal is by no means satisfactory. It is vested in trustees, whose duty it is to keep it in proper repair. I am informed by the Board of Works that it has fallen into disrepair in consequence of their being no traffic on it, and that its prospects do not appear to them to warrant the outlay of more than £4,000, which, in their opinion, would be necessary to place it in a state of repair. This canal was constructed at a cost of about £282,000, of which more than £224,000 was provided by the Treasury. I do not think any further expenditure upon it could be justified, unless, indeed, those locally interested were prepared to contribute at least a considerable portion of the cost.

H.M. STATIONERY OFFICE—APPOINTMENT OF CONTROLLER.

QUESTION.

SIR COLMAN O'LOGHLEN (for Mr. SEELY) asked the Secretary to the Treasury, Whether Mr. T. D. Pigott was lately appointed controller of Her Majesty's Stationery Office, he having previously been a junior clerk in the War Office; whether the Select Committee on Public Departments (Purchases), which sat in 1874, made a special recommendation in Clause 130 of their Report that, on a vacancy occurring in the office of controller

> "a gentleman should be charged with the duty who combined general intelligence with practical experience, and possessing the requisite technical experience of stationery and printing;"

and, whether he can assure the House that Mr. Pigott possesses the qualifications thus described by the Committee?

MR. W. H. SMITH: The right hon. and learned Member is correct in supposing that Mr. Pigott has been appointed Controller of Her Majesty's Stationery Office. It is also true that the Select Committee mentioned in the Question made the recommendation to which the right hon. and learned Gentleman has alluded; but it would be extremely difficult to find a gentleman who combines with technical experience of stationery and printing the official experience so necessary for the proper discharge of the duties of this office. Mr. Pigott has served for 17 years as a clerk in the War Office, and has been selected, on more than one occasion, for duties of an important character, which he has performed with ability and satisfaction to his employers. He was selected as secretary to the important Commission on Army Promotion, presided over by Lord Penzance, and has served as private secretary to more than one Under Secretary of State. His official training, intelligence, and capacity for detail amply qualify him, in the opinion of the Prime Minister, for the post to which he has been appointed.

MERCHANT SHIPPING ACT, 1876—DETENTION OF VESSELS.—QUESTION.

MR. T. E. SMITH asked the President of the Board of Trade, Whether in the future Returns as to the detentions of vessels under the Act 39 and 40 Vic. c. 80, he can distinguish between the vessels preparing to go to sea in the condition in which they were found by the Board's surveyors and those which had gone into the port at which they were detained for the express purpose of repairing damage sustained at sea?

SIR CHARLES ADDERLEY: Such a distinction in the Returns cannot be made, as no such distinction exists. No vessels are detained unless they are preparing to go to sea in an unseaworthy state. There might be a distinction, if it would be of any use, between vessels detained at the commencement of a voyage and those which during a voyage put into a port and get detained while preparing to go to sea again without sufficient repair; but I see no use in it, the sole point of importance being their going to sea in an unsafe state.

MR. T. E. SMITH then gave Notice that on a future day he would call attention to the inaccuracies in the Returns furnished to the House by the Board of Trade.

ROADS AND BRIDGES (SCOTLAND) BILL.—[Bill 65.]

(*The Lord Advocate, Mr. Assheton Cross.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Lord Advocate.*)

Sir EDWARD COLEBROOKE said, he wished to bring before the House the important proposals that had been made by Her Majesty's Government since this Bill was before the House last year. In the first place, there was extension of the time to examine the provisions of the measure before the Bill was brought into operation; and, secondly, there was an exclusion of what were called police burghs under 10,000 of a population from operation under the Bill. With regard to the extended time given for the payment of debt, it was a principle which had been recognized repeatedly in connection with tolls in Scotland, and was in itself a just provision. Parliament had repeatedly, as an equitable principle, allowed time in which the debt should be paid off. Thirdly, the Bill enabled them to arrive at some compromise with regard to an important and difficult question—namely, the incidence of taxation between landlord and tenant. This at one period the Commissioners were unable to support; but they now approved of it so strongly, that it was suggested that the proposal to throw half the burden on the landlord and half on the tenant should not come into operation until time was allowed for existing regulations to expire. Believing that the tolls were, to a large extent, a burden on the tenant, he thought the extension of time would be an equitable adjustment. Further, the right hon. and learned Gentleman the Lord Advocate, in his opening remarks introducing the Bill, said very fairly that the county he (Sir Edward Colebrooke) had the honour of representing exhibited some special peculiarities, which led him and led the Home Secretary formerly to say that he thought it required some exceptional treatment. Anxious to meet the Government in a similar spirit, he wished they could adjust in some way the remaining questions. He had never been a strong advocate of tolls. The first Bill he introduced was for toll abolition. [An hon. Member: Permissive.] Yes, permissive; but on considering this question, the difficulties with regard to his own county were brought so prominently forward that he had considerably modified his views. He was quite ready to admit that tolls pressed hardly and severely in particular cases. He was also prepared to admit that if they had what were called homogeneous districts, in which there were no great divisions, the variety of property assessment might become a fair and equitable means of meeting the difficulty of separating the roads—that was, with regard to local road, or what were called in England, highways. The right hon. and learned Gentleman the Lord Advocate begged the whole question when he said that, in consequence of the introduction of railways into the country, so great a change had come over the country as to lead to the abolition of the distinction between roads for local traffic and roads for through purposes. He denied that *in toto*. To a certain extent it was the case. There were in Scotland great trunk roads. There were many roads in populous districts that were connected with large towns and districts, extending over considerable areas. It was quite possible to adjust the area in such a way as to make assessment more uniform. His own county made a proposition of that kind to Glasgow some years ago, by which not only turnpike roads but all the roads within the area of the county should be regarded as one great union, and supported by one assessment. But that proposition was refused. That was not the principle of the Bill of Her Majesty's Government. The principle was to draw a hard line between town and country, to give for the tolls a separate management, and to leave what were called land or agricultural districts out to settle the thing for themselves. He contended that that in itself was not a fair principle. It would throw a great burden upon agricultural districts, as compared with towns. This difficulty had, however, been so fully recognized in the Bill which Her Majesty's Government brought in, that they had introduced a special provision to meet the difficulties of the case, and if those provisions were drawn up in such a clear and unexceptionable form as to leave little to be done, his mouth would have been closed; but they were drawn up in so vague a form that, for his

part, he could not gather whether by the 8th clause the Secretary of State was enabled to draw a Provisional Order so as to throw the burden of maintenance of the road on the neighbourhood of burghs, or on the burghs themselves. If it did that, he hoped Her Majesty's Government would persevere; but if it did not, he should attempt in Committee on the Bill to make it answer that purpose. He trusted the Home Secretary would apply his mind earnestly to do justice between man and man. Another reason he had for expressing distrust of the right hon. and learned Gentleman was, that when they came to settle the differences between town and country, the right hon. and learned Gentleman had shown a strong leaning towards the system of mileage. Now, he did not contend that mileage might not, in certain cases, enter into the consideration of this question. There might be burghs—he had one in his own county—which complained of being thrown on their own resources, and which were in a line which would throw a heavy burden upon them. There were other cases where they would merely have the terminus of a line. Would it be contended, as regarded the great Northern line which united Glasgow with England, that the question of debt should be limited to that portion merely within the limits of Glasgow? It was not contended that the mileage alone should be the guide, but he did see a tendency towards that principle. He trusted this would be set right when they came to that portion of the Bill, and that the principle he had brought forward would be fully considered—namely, that a great city should bear its due part of the costs of roads in the neighbourhood, and of the maintenance of those roads. With respect to the remark of the Lord Advocate, that the distinction between local and other roads was neutralized by the existence of railways, railways had, no doubt, caused a great difference in more ways than one. He could point out some instances which would show how unequally a system of assessment would work. Take the case of a tenant-farmer who took his produce into Glasgow by road. Another had the advantage of being in proximity to the railway and paid no toll. One had a heavy burden to pay in toll, but, in case of the abolition of toll, the burden would be thrown on assessment. He would have sensible relief at the expense of his neighbour who used the railway, who would get no relief at all, but rather an increase of his burdens. There were other cases where the Bill would act very unjustly with regard to the mineral traffic. He knew a gentleman in the neighbourhood of Glasgow, the owner of a large mineral property. All his minerals went by road, and he paid a heavy toll for them. He told him he paid £700 a-year in toll, far more than the increased cost of road, for carrying his traffic. If he were relieved, he would be relieved at the expense of a neighbouring mineral proprietor, all of whose goods went by railway. But there was this peculiarity—that the greater portion of traffic connected with minerals went by rail. There were few who used the road, and many never used the roads at all. There had been some Memorials presented to Her Majesty's Government and also to Parliament on this question, and he thought it was one well deserving of the consideration of the House. They were transferring burdens from a large class of property with a view to the maintenance of roads, and putting them upon property which was entirely independent, or almost entirely independent, of the use of those great lines of traffic. Some of the statements were striking, and were worthy of the attentive consideration of Her Majesty's Government and of the House. It was said that there were no fewer than 365 miles of private railway connected with one district, giving an output of 10,168,000 tons, of which the proportion conveyed by road was only 243,000 tons, being little more than 2½ per cent of the whole output. By the Bill on the Table an endeavour would be made to assess this property, and a great many owners of land throughout the country would get large and sensible relief. There were also difficulties connected with towns where there were tramways. If Her Majesty's Government did not see their way through this, he must ask them to adhere to the principle of former Bills for the settlement of this question—namely, that of extra rates on extra traffic. On that principle Her Majesty's Government in the present year had gone backwards. The proposal made last year was that extra traffic should pay extra rates towards the roads. In the present Bill they had allowed all to

use the roads for experimental and temporary traffic. He trusted they would look to that matter. They were giving large relief to those who principally used the roads, without placing extra burdens on those who caused the principal wear and tear of the roads. He trusted that some security would be given on these points, and on the equitable adjustment of burdens between town and country. He did trust that some effort would be made by the Government to settle the point he had raised. When the suggestion was first made that the Bill should be referred to a Select Committee, he expressed his concurrence with it, and he still believed that there were matters which could be more fairly dealt with by a Select Committee than a Committee of the Whole House. He hoped, however, that Parliament would endeavour to deal with the subject in an equitable manner; and, if that were done, he would not be under the necessity of asking the House to pass an opinion upon the Bill which he brought forward at the beginning of the Session, but which he had deferred in favour of the Government measure.

ADMIRAL SIR WILLIAM EDMONSTONE desired to say a few words on the Bill on behalf of the constituency which he represented. At their last meeting, the Commissioners of Supply for Stirlingshire, seeing the source from which the measure came, decided not to oppose it, and he was glad that they arrived at the conclusion, because to oppose the Bill, introduced as it was by the Government, would not have been a congenial task to him. He had always been strongly opposed to any road rate, on two grounds—first, the great burden thrown on property, both landlords and occupiers, and also for the good old reason, that those who used the roads should pay for them. There were no two counties in Scotland that were in the same state, and what would suit one county would be altogether unsuited for another. His county was what might be termed a composite one; but the difficulty would be to reconcile antagonistic interests. It was not his intention to discuss the details of the measure on the present occasion; but when it got into Committee he would make one or two suggestions which he trusted would soften down some of the inequalities which the Bill now contained.

COLONEL MURE, looking back at previous attempts at legislation, was obliged to admit that an earnest desire had been evinced to settle the problems with which the Government Bill was intended to deal. In the year 1861, a measure was brought forward for the abolition of tolls, but after being referred to a Select Committee, it fell through. In 1865, another Bill for the same purpose was introduced by the noble Lord the Member for Haddingtonshire (Lord Elcho)—whose absence, and the cause of it, they all regretted. In 1869, a third Bill was brought forward with the same object in view; but, while the former measure was of a permissive character, this was compulsory. Then again, in 1873, the hon. Member for Fifeshire (Sir Robert Anstruther) introduced a measure which passed a second reading by the narrow majority of 9 votes, but was considered so inequitable to Renfrew and Lanarkshire that it was afterwards dropped. At the present moment there were two Bills before the House—that now considered and the one introduced by his hon. Friend the Member for Lanarkshire (Sir Edward Colebrooke). The Government Bill provided for the abolition of tolls, the consolidation of trusts, and the creation of a fair representative County Board of management of the roads. The measure of his hon. Friend provided all the machinery for the uniform management of the roads and for the establishment of a fair representative Board.

SIR ROBERT ANSTRUTHER rose to Order. Was the hon. and gallant Gentleman entitled to discuss the Bill of the hon. Member for Lanarkshire?

MR. SPEAKER said the hon. and gallant Member was justified in referring to the Bill in question for the purpose of illustrating his meaning.

COLONEL MURE was obliged to the hon. Baronet for his interruption. As a matter of fact, the two Bills related to exactly the same question. The only difference was, that while the Bill of the hon. Member for Lanarkshire prolonged the trust for 21 years, the Government measure prolonged it for 10 years only. There was some further difference on the question of what should be done in the event of the agreement not being arrived at after the lapse of a certain period. It was the county gentlemen who originally made the roads of Scotland.

Many families hampered themselves by the enormous sums of money they expended. In those days Glasgow was glad to recognize that, in order to make commercial progress, it was necessary to have good roads. Since railways, however, had been established, Glasgow had arrived at the conclusion that the highways were not so important as formerly —forgetting that those roads all converged to the railway stations, and were thus indirectly nearly as important as the railways themselves. What he desired to point out was, that if, after a lapse of 10 years, an agreement could not be come to with Glasgow, under the Bill, the whole burden of supporting the roads in the neighbourhood of that city would fall on the occupiers and tenant-farmers in the counties of Renfrew and Lanark. In the event of such a catastrophe occurring, half the burden would fall on the landlord and half on the tenant; but so great was the demand for farms in Scotland, especially in the neighbourhood of Glasgow, that, practically speaking, this heavy burden would in the long run fall upon the tenant. The Government acknowledged, indeed, that the country would suffer. Some time ago the Home Secretary bundled a deputation which waited upon him out of his room. The Home Secretary told them to manage their own affairs, and gave them 10 years to do it. [Mr. ASSHETON CROSS: I said that I would be glad to assist you in a settlement, by acting as mediator between the parties.] What the right hon. Gentleman told them was, that if they made an arrangement, well and good; but if they did not, a Provisional Order would have to be made, and then an Act of Parliament. His belief was, that at the end of the period they would be unable to arrange with Glasgow, and that the same discontent and antagonism would exist as now. When the Home Secretary was at Glasgow, he received the city authorities, who, of course, desired to throw the support of the roads on the counties; but he had never heard the representations of the county authorities, except when the deputation waited upon him. His right hon. Friend said, in effect, to that deputation, "*coûte qui coûte*, I mean to abolish tolls." Well, if the existence of tolls produced injustice and conduced to inefficiency, he should be the first to admit that some other means of supporting the roads ought to be adopted. But in Renfrewshire there was no injustice whatever. The inhabitants of the county really paid a fair proportion of the upkeep of the streets in Glasgow. Everything sold in Glasgow by retail or wholesale was charged according to the burdens of keeping shops and warehouses. Therefore in everything the inhabitants of the county bought, they paid their fair share of the upkeep of the streets of Glasgow. Yet it was proposed that Glasgow was practically to use the county roads for nothing. He wished to point out to the right hon. Gentleman what had been done in England. They had in the 14th clause of the Bill introduced last Session done exactly what they wished done in Scotland. What they wanted in Scotland was, to have tolls established in the places where tolls were the only means by which they could establish fair proportions, with regard to the rates for the maintenance of the roads, between the inhabitants. It was impossible to deal satisfactorily with the question in the way proposed by the Government; and he would therefore suggest that this Bill and the Bill which had been introduced by his hon. Friend the Member for Lanarkshire should be referred to a Select Committee, by whom the matter could be settled on a fair and equitable basis.

COLONEL ALEXANDER said, he agreed with the hon. and gallant Member for Stirlingshire (Sir William Edmonstone) that he should be very sorry to oppose any measure introduced by the Government; but without doing that, there were certain occasions when the interests of the constituents might be considered paramount even to the interests of a Government. All that he would ask was what the hon. and gallant Admiral had asked—namely, that from an obligatory Bill, the measure might at once be converted into a permissive one. He (Colonel Alexander) confessed that, as a general rule, he did not much relish permissive legislation, which was apt to result in no legislation at all; but there were exceptions to every rule, and that was pre-eminently the case with regard to that measure, which was decidedly one suitable for permissive legislation, especially as the various counties themselves were not unanimous upon the subject, it being earnestly desired in some, and as strongly opposed in others. And the cause of the widely differing

sentiment was not difficult to see; but the circumstances and the interests of counties differed as widely as the circumstances and interests of the inhabitants of these counties, and as there were certain purely agricultural and pastoral counties where the interests were identical, so there were also counties described by the hon. and gallant Member as composite counties, where there were pastoral, agricultural, mineral, and urban interests, and where to compare the advantages of assessment as against tolls would be to institute a comparison between the little finger of Rehoboam and the loins of Solomon. He must point out that permissive legislation on the subject had already been recognized and approved by the House, and already a considerable number of counties in Scotland had obtained private Acts, under which they substituted assessment for tolls; and if other counties had not followed their example, it might surely be inferred that they had not found it their interest to do so. There was a little group of counties that occupied a very peculiar position, and the hon. Baronet opposite (Sir Edward Colebrooke), in mentioning those counties, left Ayrshire out in the dark. So far as regarded the pastoral portion of the county, the tenants had very little in the shape of tolls, because they used the turnpike roads to a very small extent, transporting their cattle by means of the railway. Now, as the rental of these farms had increased very much during the last few years, it could easily be understood how greatly the burden of assessment would fall upon those poor occupiers. The roads in Ayrshire were very good highways, leading from Lanarkshire and Renfrewshire into Dumfriesshire and Wigtownshire, and surely it was only equitable that those who made use of these roads should contribute something to their support. He believed that in the counties in which tolls had beeen abolished and assessment established, the roads had not been maintained in such good order as in the counties where tolls had been retained; but, be that as it might, he had no difficulty in proving the exceptional position of his county, and the hardships that would be inflicted upon the landlords of the county if the system of assessment were adopted. He contended that while tolls were a hardship to no one, the assessment for the purpose of rates would be very heavy. The total length of the roads was 1,448 miles, and it had been ascertained that on an average for a period extending over 24 years, the cost of maintenance per mile had been £14 12*s.* 8*d.* Now, assuming the county to keep the roads in as good order as they were at present, it would be necessary for the county to provide annually a sum of £20,189, which would have to be levied upon the total valuation of the county, which amounted to £955,208, and in order to meet that, the assessment would amount to nearly 6*d.* in the pound, and when they remembered that the total assessment of lands and heritages in the county, for all purposes, was only 3*d.* in the pound, they would readily understand the reluctance, even the positive dislike, on the part of the county to adopt the system of assessment upon their lands and heritages. The agricultural tenants, whose farms were rising in value, would have to pay sums of money wholly disproportionate to the use they made of the roads; while with regard to another question—the mineral interest, which in his county was very large indeed, and which, he was sure, if that Bill were allowed to pass would be injuriously affected, he had to say that the greater portion of the mineral traffic was carried over the railways and the canals, and where these did not exist, private railways had been constructed and maintained at great cost by mineral proprietors and their lessees. Now, it had been proved by statistics that, upon a total traffic of more than 10,000,000 tons, the portion passing over the roads, and therefore subject to tolls, was only 2·4 per cent, and therefore the enormous increase of burden which, under the Act, would be thrown upon the mineral proprietors might be readily understood from the fact that, whereas they had hitherto paid for the maintenance of turnpike and statute labour roads a sum not above £2,500, under the provisions of that Bill they would be assessed upon a gross rental of nearly £400,000 per annum. That would be a real hardship, and it appeared to him to be monstrously unfair that they should be so heavily taxed to maintain roads which to them were of little moment, and which they so little used. He did not desire to stand in the way of other counties adopting that Act;

Colonel Alexander

but he thought some improvement might be effected in the present system without the drastic measure of a total abolition of tolls. He only asked that the county he had the honour to represent, and which 30 years ago obtained an Act under which they were permitted to levy tolls, and under which they had confessedly maintained their roads in most admirable order, might not be forced to adopt an Act which would compel the parties concerned to adopt a system which was totally unsuitable to their requirements, and which would impose grievous hardships on owners and occupiers of land.

MR. M'LAREN said, that he had for many years taken a great interest in this question, having been one of the Commissioners appointed to inquire into the expediency of abolishing tolls in Scotland. One of the Royal Commissioners was the then Member for Ayrshire (Sir James Fergusson), of whom he need not say, in the presence of those who knew him, that there was not a more intelligent man in Scotland. Mr. Smyth, of Methven Castle, the Convener of the county of Perth, was another Commissioner, along with Sir John MacNeil and Sir Andrew Orr, and those Gentlemen went all over Scotland, and having heard all that was to be said, reported unanimously that the tolls ought to be abolished. Now, a Notice had appeared on the Paper of a Motion to refer this Bill to a Select Committee, and two or three hon. Members had supported the view. He (Mr. M'Laren) thought it would have been far more manly and straightforward to move that the Bill be rejected at once. The idea of referring the Bill to a Select Committee on the 15th of June would be a perfect mockery, as it would never get through. Having given the subject a great deal of attention, he was of the same opinion that he held 14 or 15 years ago, when the Royal Commission sat. He had read a great many articles and pamphlets on the subject. He remembered to have seen in one of the pamphlets that the law agent for one of the counties had spent so much time in London looking after these Bills that his account for expenses amounted to £1,200. Now, if the tolls were at once abolished, there would be no need to come to Parliament to watch over such Bills. All that machinery could be done away with, and every one of the multitude of officers could be dispensed with, such as surveyors, clerks, and toll-keepers. Abjuring, however, as he did, the principle of tolls, he had to complain of some of the provisions of the Bill as being most unjust and unfair. He need not mention more than two clauses, one of which—Clause 4—provided that the tolls should be continued for 10 years. He thought that the effect of that, especially in his own county, would be most injurious. In that case, an Act was obtained to continue the tolls for 31 years. There was then a debt of £95,000 upon the roads. The whole of that debt had been paid off. The 31 years expired seven or eight years ago, and that trust was continued by the annual Continuance Bill. The Bill now before the House was called a permissive Bill; but the whole power of deciding whether it should be adopted or not was virtually given to the counties, and the towns would have no voice in the matter. He would illustrate that by taking the case of the county of Edinburgh and that of the boroughs in that same county. The population of the county was 74,000, while that of the boroughs was 254,000. That was to say, the population of the boroughs, which had practically no power, was as three-and-a-half to one compared with the population of the county. Then, as to wealth, the rental of the county was £588,000, while the rental of the towns was £1,833,000, the rental of the City of Edinburgh alone being £1,468,000, or nearly £1,500,000. Thus the Bill was so framed that those who formed the small minority had the whole power to adopt or reject it; and those who had the great preponderance of wealth and numbers, and paid by far the largest share of the tolls, were to have no power at all. That, in his opinion, was a most unjust provision, and unless it was altered, he should prefer to have no measure at all. As to continuing the trusts for 10 years, nothing could be more unjust. Instead of doing that, a Bill might be introduced, if needful, or, perhaps, a Resolution of the House would be sufficient, for the purpose of letting all expired turnpike trusts in Scotland come before a Committee, as was done in the case of similar English trusts, and then the Committee could decide whether those trusts should be extinguished or continued; but this had

never been done in the case of Scotch Bills. He could not see why the practice followed in England in regard to Continuance Bills should not in that matter be extended to Scotland. So far as the Bill went its provisions went in the right direction, but unless satisfactory Amendments were made upon it in these respects, he would feel it his duty to oppose its progress.

MR. ORR EWING, in reply to some remarks of the hon. and gallant Member for Renfrewshire (Colonel Mure), pointed out that, if the outlying districts contributed to the maintenance of the roads in Glasgow, the citizens of Glasgow, on the other hand, had raised the value of property in those districts to its present value by purchasing its produce. He (Mr. Orr Ewing) did not know that the argument was of any weight, but it might be used on both sides. The hon. and gallant Member for Stirlingshire (Sir William Edmonstone) had informed the House that he spoke on behalf of his constituency of Stirlingshire. His (Mr. Orr Ewing's) knowledge might not be so great as the hon. and gallant Admiral's; but from what he did know, he differed from the hon. and gallant Gentleman entirely. It was quite true that the Commissioners of Supply in the county of Stirling, by a majority of 1, opposed this Bill, and passed some resolutions as truisms which he considered to be utterly fallacious, but he mixed a good deal with the farmers of Stirlingshire, and he found among them a general, if not a unanimous feeling that the Bill should be supported; he did not mean to say exactly as it was, but that the Bill was correct in principle, and likely to be made a good Bill by some Amendments in Committee. He was not surprised at that approval, because what was the state of matters in the country at present? Through all Scotland they had two kinds of roads—one was the turnpike road, and the other was the statute-labour road. The turnpike roads were formed at the time when communications between the great towns and cities were required to be made, where the traffic was supported by tolls. The statute-labour roads were made in the country and rural districts for the convenience of farm produce, for driving cattle and sheep, and purposes entirely of farming operations. But now those statute-labour roads in Stirlingshire, and in almost every county, were no longer merely subsidiary roads, but in many cases were the most important roads in the county. He knew that in one district where he lived the principal traffic was carried on on the statute-labour roads. Well, how were these roads managed and supported? They were supported by an assessment limited to 3 per cent. That assessment was so small and so trifling, and the amount raised was so insufficient for the maintenance of the roads, that they were in the most disgraceful condition, and often almost impassable. He said it was absolutely necessary that the Bill should pass, although the hon. and gallant Member for Renfrewshire, who began his speech by saying he was in favour of the principle of the Bill, ended by declaring that he was for the maintenance of the system of tolls. The hon. and gallant Member twitted the Home Secretary with that threat which he (Mr. Orr Ewing) sincerely hoped the right hon. Gentleman would abide by—that in some way or other he was determined he would get rid of the unjust and antiquated system of tolls, and substitute assessments.

COLONEL MURE explained that he did not indiscriminately support either system. The fact was, that the circumstances of no two counties were exactly alike.

MR. ORR EWING understood that the hon. and gallant Member was in favour of maintaining the tolls. He wished to inform the House that that assessment of 3 per cent for the maintenance of the statute-labour roads was only paid by the tenant-farmers, and he asked would they continue that system which was a burden of taxation upon the tenant-farmers of Scotland, who had no voice at all in the management of these roads? The county which he had the honour to represent (Dumbartonshire), although there were some differences of opinion with regard to the existing bridges, was unanimous in supporting the Bill, with certain amendments. But the Bill was, no doubt, met with great opposition. That opposition proceeded from the manufacturers and owners of minerals, and also from counties which had many burghs and populous places. The iron and coal masters said only 3 per cent of their enormous traffic passed over the roads. No doubt that was a very small proportion in that

sense, but it was a very large proportion of the total amount of traffic which passed over the roads, and they did not take into consideration that part of their traffic which passed over statute-labour roads where there were no tolls. He wished to ask if they were to make any difference between manufacturers and ironmasters and coal owners? Why should other manufacturers pay full assessment if the ironmasters did not? He had railway communication for the whole of his works, and this Bill would impose a heavier assessment upon him than he now paid for tolls; but he took a broad view of the question, and therefore he supported the Bill. He looked upon tolls as unjust, and as interfering with the liberty of people going about, and he was sure, when the Bill passed, everyone of the coal and ironmasters would be thankful to see the system changed. As to the opposition of the county gentlemen, who felt that if this Bill were passed it would relieve the inhabitants of the large towns and cities who at present paid a large proportion of the tolls which were collected at the entrance to those towns and cities, he thought that would be unjust. He thought the just principle to have got over this difficulty would have been to have made all kinds of property in all counties and districts, urban and rural, pay one assessment both for streets and roads, and that committees should have been formed in each town, or city, or district for the management of the roads. That, no doubt, was somewhat cumbersome, and might lead to extravagance, but he had suggested another system which had met with very general approval in his own county. That was that all burghs should extend their charge of the roads for two miles beyond their boundaries, taking the properties which were within the radius, but outside the burgh, into the assessment. He thought that would be a just and fair principle, when this Bill would entirely relieve the inhabitants of the towns from paying tolls. They would thus save a great deal of money which they were at present paying, and at the same time it would be just and fair that the counties should be relieved of a part of the enormously increased expense in the neighbourhood of towns from the large traffic of those towns. He hoped one of those systems would be introduced into the Bill, without which he could not give it his support. He also objected very much to the 4th clause, which made it necessary that four years should go over before this Bill should be brought into operation, even in a county that was anxious to have it at once. He did think that liberty ought to be given to every county, if they thought fit, to adopt the Bill immediately it had passed, and he objected very seriously to that part of the 4th clause which made it permissive for 10 years. That might be necessary for some counties which had a Road Act still in operation; but he thought wherever the Road Act had expired—and he knew it had expired in Dumbartonshire for the last 13 years—the county should not only be allowed, but it should be compulsory to put this Act in operation immediately. He also thought it would be an improvement on Clause 15 to give power to divide counties into districts for management; but there should be one uniform rate throughout the county, or great hardship would be perpetrated. For instance, there were two parishes in the county of Dumbarton, in one of which there would be an assessment of 1*s.* 2*d.* in the pound, according to the statistics of Mr. Smollett. That was in the North-west. There were other parishes in the neighbourhood of Glasgow that would be assessed at 2½*d.* He thought, looking at the circumstances of those parishes being near Glasgow, having an enormous valuation and a very short distance of roads, it would be unfair that in the same county such a great discrepancy should exist. He also objected to Clause 41, which provided that boroughs under 10,000 of population should be treated differently from boroughs of 10,000 and upwards. He thought that was an invidious distinction, and that it would be better to adopt what he proposed, that these boroughs should support the roads two miles beyond their boundaries. Then he thought that some of the provisions for special cases were very unfair. Take the case of the carriage of wood, for instance. Suppose a gentleman cut down a large quantity of wood one year, and cut up the roads to a considerable extent in carrying it, it would be very unfair to come down on him heavily for that one matter, when for the 30 or 40 previous years during which the wood had been growing he had never used the roads at all. Such distinctions should be knocked

on the head, and the Bill should be made at once simple and effective.

MR. ANDERSON said, he should not have taken any part in the debate but for some remarks that had been made and some extraordinary fallacies that had been brought forward. He promised the right hon. and learned Gentleman a more cordial support for the Bill than he had received from some hon Members on his own side of the House. The hon. Member who had just spoken (Mr. Orr Ewing) had made a suggestion, which, to his (Mr. Anderson's) mind, was of a very unfair character, and entirely impracticable, and, at the same time, he said that unless it was adopted he could not support the Bill. He agreed that it was a difficult subject, and he congratulated the right hon. and learned Gentleman on having approached the subject and, generally, on having dealt with it with fairness. Tolls could not be long sustained. They were an antiquated system and most expensive; but it could not be denied that to change a system which had been maintained so long was very difficult, involving, as it appeared, an alteration in the incidence of taxation. The Bill would alter the old plan that those who used the roads should pay for them—a plan which, it could not be denied, was kept up in the more modern system of railroads. He should have been content if the Bill had adopted the method of raising some part of the assessment by a general tax on horses, and to that extent it would have followed the old rule to which he had just referred; but he could not deny that those counties which had adopted Road Acts of their own had not followed that course, and he presumed had seen strong reasons for not doing so. The incidence of taxation would fall heavily on the mineral proprietors, and he thought that some consideration would have to be shown to them. Clause 49 gave power to make an extra charge for extra traffic on the roads. If that principle were admitted, it followed as a logical consequence that they were bound to allow diminished taxation for diminished traffic. Those who had all their traffic done by railways undoubtedly had a good claim to ask for some abatement, if an extra charge were made on account of extra traffic. With regard to the proposal to make the large towns pay for the maintenance of the roads outside their own boundary, he considered it was utterly unjust, and it was the present most unfair system of tolls which had hitherto caused the large towns to pay an undue share of the taxation, and it was thus to keep up what was at present an injustice that that proposal was made. It had been said that the counties made the roads; but he would ask who made the value of the county property outside the great towns? The great towns had raised the value of the property in their neighbourhoods to eight or ten times what it would have been if they had not been there. The counties were not asked to pay the cost of maintaining the streets. The hon. and gallant Member for Renfrewshire (Colonel Mure) had talked about the people of Renfrew paying for the streets of Glasgow, because they sent their produce there, and it was consumed in Glasgow. But every schoolboy should know now that the consumer paid the whole cost of an article, and it was undoubtedly the consumer—that was to say, the people of Glasgow—that paid the cost. It was a perfect fallacy to suppose that the people of Renfrew had anything to do with keeping up the streets of Glasgow. The hon. and gallant Member for Renfrew produced a 10-years-old document, showing the enormous burden that would be cast on Renfrewshire by this Bill. He (Mr. Anderson) remembered how that document was got up, and how fallacious it was shown to be at the time. It was got up to make as strong a case as possible for the landed proprietors of Renfrewshire, and was not worth the paper it was printed on, even at that time, and was worse now. The change proposed was more apparent than real, for the reason that it was in reality the consumer of every article that ultimately paid the cost of it. For the reasons he had stated, and others, he should cordially support the Bill. He should like to see some Amendments introduced, but carrying out the rule he had laid down for others, he would reserve any remarks about them until the Bill was in Committee.

SIR ALEXANDER GORDON said, he hoped the Government, when the Bill went into Committee, would see their way to making one change—the applicability of the Bill to burghs of a smaller population than 10,000. A re-

striction such as that now proposed was not in the Bill of last year. No populous place of less than 10,000 inhabitants could take advantage of the present Bill; but, by a singular contradiction, the Bill allowed all Royal burghs to take advantage of it. Now there were about 70 Royal burghs in Scotland, and of those, he thought, only about 12 had a population over 10,000, while there were no less than 25 Royal burghs with a population of under 2,000. If by the Bill a Royal burgh with a population of only 2,000 was held competent to manage its own roads, surely a burgh which was not a Royal burgh, but which came under the denomination of a populous place, was equally fit to manage its own roads. These places now assessed themselves, and managed their own affairs for lighting, draining, and police purposes, and they should be allowed to manage the roads which passed through them. Now, the county maintained these roads, but it was the interest of the county to maintain only the main roads, leaving the side streets to be maintained as they could; and as these small places had no power to assess themselves, the bye streets were in a state of great disrepair. It would be his duty in Committee to propose an Amendment to make that change, and he hoped the Government would consent to it.

MR. CAMPBELL-BANNERMAN said, that until that day he had been under the impression that there was almost unanimity on this subject amongst Scotch Members, and he was sure the people of Scotland were unanimously in favour of assessment as against tolls. For his part, it appeared to him to be almost enough to consider the wasteful character of the toll system in order to condemn it. When they were told of the old system that those who used the roads should pay for them, that was surely set aside by the consideration that it was not those who used the roads who paid for them even with the toll system, because one man might have a toll at his gate, and another might drive 15 or 20 miles without a toll. He thought they might say with confidence that the whole of Scotland was in favour of the abolition of tolls. But when they came to apply that principle to particular districts they were met with difficulties, and on that account it always seemed to him that a Bill of this kind was peculiarly one to refer to a Select Committee. If at the beginning of the Session the Government had referred the Bill to a Select Committee, the conflicting interests would have had an opportunity of being heard, and the details could have been thoroughly discussed, and by this time they should probably have been engaged in passing a satisfactory Bill. But he was not so sure of the advantage of sending the Bill to a Select Committee now, because the people of Scotland were anxious to see a Bill on the subject pass; and if they could be sure that they would have time for ample consideration of the clauses in Committee, he thought it would be unsatisfactory at this late period of the Session to send the Bill before a Select Committee. If the Government could promise a sufficient opportunity of discussing the details in Committee, he thought they might very well allow the second reading to pass without moving any Amendment, as they were all agreed on the principle of the Bill.

SIR GRAHAM MONTGOMERY said, his constituents had a great grievance in respect to the present state of the toll question. They had to pay heavy assessments for the tolls in their own districts, and the people complained to him that when they crossed the Border to another county there they found the toll system in operation, and they thought this was a great grievance. The time had come when tolls ought to be abolished. Ever since the late Mr. Pagan, of Cupar, brought this question forward, he had been a party to Bills with the object of abolishing tolls, and he did not think he had ever seen so nearly perfect a Bill as the one which the Government had now introduced, which dealt with the whole question in a very practical way. In the first place, it fixed the period when tolls must be abolished entirely for the year 1887, because that was the date of the expiry of the last Toll Act in Scotland. It was, however, open to the counties and boroughs to agree to abolish tolls before that time, but in that year the whole question would finally be settled. It was a great advantage to the counties that they should have a machinery for abolishing tolls without going for a private Act, which was very expensive. This Act would enable them to do it by a Provisional Order, confirming the terms on which they arranged that the

tolls should be abolished. To those who had objected to their abolition he might say that he did not think any county had a vested right in tolls. Tolls were created by Act of Parliament, and Parliament could therefore take them away. This Parliament believed the tolls ought to go. The best course for those who objected to their abolition would be to help to carry this Bill, so that the abolition might be made as equitable as possible. He would like to call the attention of the Home Secretary to this point. Mileage was to be one of the criterions by which counties must pay road debts. In Kinross-shire there was the Great North Road, the trustees of which made a new road, but kept up the old road as well; consequently that county had a double mileage, and therefore the principle of mileage would be unfair to apply to that county. He hoped attention would be paid to that grievance. The way in which the Bill dealt with the extraordinary traffic was one of its best features. It was a fair proposal that the trustees and the parties proposed to be assessed should go before the Sheriff and have the matter settled by him. As to the proposal to refer the Bill to a Select Committee at this period of the Session that meant to shelve the Bill altogether. Let them try whether at some Morning Sitting they could not by concessions on both sides come to a satisfactory decision on this question.

MR. ERNEST NOEL said, he had put on the Paper a Notice that the Bill be referred to a Select Committee, and he should be glad if the Home Secretary would give an assurance that he would agree to that course. [Mr. ASSHETON CROSS dissented.] Then he would offer some reasons why he proposed that the Bill be referred to a Select Committee. He had hardly ever heard a better speech in favour of the object he had in view than that of the hon. Member for Edinburgh (Mr. M'Laren). The hon. Member approved of the general principle of the Bill. So did he (Mr. Noel); but there were provisions exceedingly difficult to deal with, and the hon. Member for Edinburgh thought them so bad that, if they were not amended, he would oppose the Bill. There could be no stronger argument for referring it to a Select Committee. The hon. Member for Dumbartonshire (Mr. Orr Ewing) also said he was strongly in favour of the Bill, and he went into details to which he was as thoroughly opposed as was the hon. Member for Edinburgh. Every hon. Member who had spoken had said that they were dealing with a question of great difficulty. He would ask the right hon. Gentleman whether he could give time this Session for the discussion in Committee of a Bill which presented such difficulties? He was quite certain that a Bill pressed forward in that way would result in something unsatisfactory to two-thirds of the people of Scotland. While hon. Members from Scotland were anxious to see a Roads and Bridges Bill passed, there were still questions involved upon which it was desirable that evidence should be taken. The present measure was, to a certain extent, permissive, and its operation might be postponed for 10 years. He would ask, then what Scotland would lose by postponing legislation for another year, and meanwhile the wants of particular districts might be carefully examined into, and due consideration paid to them. It seemed to him a most reasonable request that at this period of the Session the Bill should be referred to a Select Committee. It would be most unwise to press forward a measure which affected large interests without having such an examination of details as he held was essential, in order to render any Bill which might be passed satisfactory to the large majority of the people of Scotland.

THE LORD ADVOCATE said, he quite admitted that the question was surrounded with very great difficulties; but, at the same time, he could not concur with the observations that had fallen from the hon. Member who had last addressed the House (Mr. Noel) as to the inexpediency of the House proceeding in Committee to deal directly with the objections raised to the Bill, and not through the agency of a Select Committee. He quite admitted that where questions had not been thoroughly probed, where there was a lack of information on the subject, and where there had been a want of attention to that subject on the part of the public, it might be exceedingly expedient, before proceeding to legislate, that a thorough investigation should take place before a Select Committee of that House. But he could not think that the present subject was analogous in any one particular

to such a case. The questions connected with road reform and road legislation in Scotland had been before the public and before that House for at least 15 or 16 years past, and he entirely disputed that there were any facts still requiring investigation, even down to the smallest details of burgh management. He could hardly concur with the observations of the hon. Member for the Stirling Burghs (Mr. Campbell-Bannerman), to the effect that the afternoon had been entirely thrown away. He thought some good might come of the discussion which they had had, because the main difficulties which arose upon the Bill had been fairly brought before the House. He did not think they should meet with so much difficulty in dealing with details, if certain of those leading questions upon which there was considerable diversity of opinion were fairly discussed and settled. They had undergone a good deal of discussion that day. There was an entire contrariety of opinion on some points, and he thought that in these circumstances such questions ought to be settled by a vote of the House, and not by the Report of a Select Committee. He knew very well there were questions regarding borough revenues; but the House would be able to deal with them in a manner that would be quite satisfactory to the general public of Scotland, if not to both of the sets of the population which had different interests in the matter. He was unwilling to occupy the time of the House; but, at the same time, he thought it proper that he should say a word or two in regard to what the Bill proposed, and the issue it raised upon several points that had been mooted by hon. Members. Undoubtedly, one great question was as to the 10 years clause. The difference of opinion on that point was very manifest; but he did not intend to detain the House by entering into the merits of that clause. The argument on the one side and the other was very plain. Many desired to have legislation immediately operating; whilst, on the other hand, he thought that some time must reasonably be given to those counties which had not yet adopted by private Act the abolition of tolls; because it was very well known that unless some time was given the effect of the immediate operation of the Bill would be to throw upon certain districts, which did not make the roads, part of the expense of roads made by other districts where the debt was not paid off, and those who had made their own roads at their own expense would have to share with others the expense of roads which the latter ought to have paid. Then, again, to some extent the Bill, if it became immediately operative, would interfere with existing covenants, with the existing contracts between landlord and tenant, and with the rights of tenants amongst themselves. These were matters which the House would be able to take into consideration, and on which it would arrive at a correct judgment. Then there was undoubtedly a very important question in regard to the division between burgh and county. He could not think that any scheme would be satisfactory to that House or to the people of Scotland that did not give to certain burghs the control of their own roads. It must be kept in view that where at this moment there were turnpike roads and statute-labour roads within a burgh, under the management of two separate sets of trustees, the Government proposed to combine them, but even then they had the municipality or Commissioners who represented the inhabitants—a body well fitted to be entrusted with the duty. He should say nothing about the area to be made over to the keeping of the burgh authorities beyond this—that the Bill proposed that, nothing to the contrary being stipulated, the area of the burgh should be the area taken charge of by the municipality. If there were any case in which the road authorities of the county were of opinion that to adopt the area according to the burgh limit would be productive of injustice to the county ratepayers, they might approach the burghs and offer to make an arrangement, or failing to come to an understanding, the county authority, after four years, would be entitled to approach the Home Secretary and demand, after the facts on both sides had been ascertained, that a boundary should be laid down by Provisional Order, which Order would have to be brought before that House and sanctioned in the usual form. As regarded the question of rating, he was happy to perceive that the principle of laying one-half on the landlord and one-half on the tenant had been pretty generally approved. And really that rule now obtained so univer-

to such a case. The questions connected with road reform and road legislation in Scotland had been before the public and before that House for at least 15 or 16 years past, and he entirely disputed that there were any facts still requiring investigation, even down to the smallest details of burgh management. He could hardly concur with the observations of the hon. Member for the Stirling Burghs (Mr. Campbell-Bannerman), to the effect that the afternoon had been entirely thrown away. He thought some good might come of the discussion which they had had, because the main difficulties which arose upon the Bill had been fairly brought before the House. He did not think they should meet with so much difficulty in dealing with details, if certain of those leading questions upon which there was considerable diversity of opinion were fairly discussed and settled. They had undergone a good deal of discussion that day. There was an entire contrariety of opinion on some points, and he thought that in these circumstances such questions ought to be settled by a vote of the House, and not by the Report of a Select Committee. He knew very well there were questions regarding borough revenues; but the House would be able to deal with them in a manner that would be quite satisfactory to the general public of Scotland if not to both of the sets of the population which had different interests in the matter. He was unwilling to occupy the time of the House; but, at the same time, he thought it proper that he should say a word or two in regard to what the Bill proposed, and the issue it raised upon several points that had been [illegible] by hon. Members. Undoubtedly, as [illegible] great question was as to the [illegible] clause. The difference of opinion [illegible] that point was very [illegible] did not intend to detain [illegible] entering into the [illegible] The argument on the [illegible] other was very [illegible] [illegible]

[illegible] of the expense of roads made by other districts where the debt was not paid off, and those who had made their own roads at their own expense would have to share with others the expense of roads which the latter ought to have made. Then, again, to some extent the Bill, if it became immediately operative, would interfere with existing contracts with the existing contracts between landlord and tenant, and with the [illegible] nants amongst themselves. There [illegible] matters which the House would [illegible] to take into consideration, and on [illegible] it would arrive at a [illegible] Then there was [illegible] important question in [illegible] sion between burgh and [illegible] could not think that [illegible] be satisfactory to the [illegible] people of Scotland that [illegible] certain burghs [illegible] roads. It must be [illegible] where at the present [illegible] pike roads and [illegible] within a burgh [illegible] of two separate [illegible] various purposes [illegible] but [illegible] or [illegible] [illegible] under [illegible] were [illegible] but it was [illegible] number [illegible] never paid [illegible] gates where [illegible] ever get rid of [illegible] quent inequality [illegible] on that account [illegible] posed to a system [illegible] reason why he rose, [illegible] quest his hon. Friend [illegible] Noel) not to move that the [illegible] to a Select Committee. [illegible] two reasons why Bills were [illegible] ferred to Select Committees. [illegible] was, when it was desired to [illegible] a Bill; but that purpose had [illegible] disavowed in the present case. The [illegible] was, when information was sought [illegible] be obtained by evidence upon points [illegible] within the Bill upon which difference of opinion existed. Now he (Mr. Knatchbull-Hugessen), having carefully listened to the debate, was of opinion that no evidence or additional information was necessary to enable hon. Members to fully understand the points in dispute. There was, no doubt, much difference of opinion as to many details of the Bill;

but in the county of Forfar the complaint was general that the statute-labour roads had been starved. Unless the Home Secretary could give the House some satisfaction on these points, it would be a question whether it would not be better to postpone the Bill in the hope of getting in a year or two a Bill which would be more satisfactory.

MR. BAILLIE COCHRANE hoped an opportunity would be given of dividing on the Question that the Bill should be referred to a Select Committee, even if they took three years in arriving at a decision upon the subject. There was evidently a great difference of opinion with regard to the Bill, and he thought it very desirable there should be something like agreement. For his part, he could not see why a measure raising so many difficult questions had been introduced by the right hon. and learned Gentleman. Many of the counties were perfectly satisfied with the existing state of things. It was a right principle that those who used the roads should pay for them, and so far as he was concerned, he thought that if tolls did not exist, they ought to be invented, as they appeared to him to constitute the fairest way of maintaining the roads in proper condition. The consideration of the Bill in Committee of the Whole House would, he believed, take weeks.

SIR GEORGE CAMPBELL said, he could bear testimony to the fact that the Bill under discussion was one which was very much desired by the great majority of the people of Scotland, and he would appeal to the right hon. Gentleman the Home Secretary that, not content with having devoted one Morning Sitting to Scotch Business, he would tell the House fairly and frankly whether the Government really meant to push it through this Session.

MR. MARK STEWART also bore testimony to the desire that existed amongst Scotch people that the Bill should be passed into law, and said, he should like to see some provision made whereby burghs with a population lower than 10,000 might obtain the same advantages as burghs with that number of inhabitants and upwards. There was another point alluded to by the hon. Member for Forfarshire (Mr. Barclay) in regard to the qualification of road trustees. That appeared to be the same as the qualifications of the Commissioners of Supply. In many counties that qualification was far too high, and consequently many excellent men of business among a comparatively lower class of tenant-farmers would be always unrepresented at the road meetings. There were some other points which would come up in detail when the House went into Committee; but he rose chiefly to direct the attention of the Government to the point that this Bill might be allowed partially to apply. As the Bill was drawn it could only be made to apply wholly, and thus few of those counties would be found willing to adopt it, which had gone to the great expense of obtaining private Acts of Parliament for themselves. He trusted that the Bill would become law in the present Session.

MR. KNATCHBULL - HUGESSEN said, that as no English voice had as yet been raised in the debate, he would ask leave to say a few words. The hon. Member for the Isle of Wight (Mr. Baillie Cochrane) was in favour of a system of tolls, because, he said, that by that system those paid for the roads who used them. That was a transparent fallacy which ought not to be left unanswered. It was quite true that under the toll system those who paid tolls were persons who used the roads; but it was equally true that an enormous number of persons used the roads who never paid tolls; and, place your turnpike gates where you would, you could never get rid of this fact, and of the consequent inequality of the toll system. It was on that account that he was always opposed to a system of tolls. The chief reason why he rose, however, was to request his hon. Friend behind him (Mr. Noel) not to move that the Bill be referred to a Select Committee. There were two reasons why Bills were ordinarily referred to Select Committees. One reason was, when it was desired to "shelve" a Bill; but that purpose had been disavowed in the present case. The other was, when information was sought to be obtained by evidence upon points within the Bill upon which difference of opinion existed. Now he (Mr. Knatchbull-Hugessen), having carefully listened to the debate, was of opinion that no evidence or additional information was necessary to enable hon. Members to fully understand the points in dispute. There was, no doubt, much difference of opinion as to many details of the Bill;

but those differences might best be decided in Committee of the Whole House. He was sorry the debate had already wandered from the principle of the Bill into many questions which were rather for Committee; but he thought that if they now allowed the Bill to be read a second time, they might be sure that the Home Secretary, for his own credit's sake, would be anxious to pass it, and might be trusted to do his best to give ample time for its discussion in Committee.

SIR WINDHAM ANSTRUTHER asked the Home Secretary whether he would give an assurance that the Bill would come on for discussion on the day fixed for going into Committee. For the last four months, Scotch Members had on many nights been detained at the House at great inconvenience to themselves for the purpose of watching this Bill.

MR. RAMSAY said, that for the last 30 years he had lived in a county in which the provisions of this Bill had been in operation. In that county the operation of the local Act had been satisfactory to all concerned, and he believed that the present Bill, if it became law, would give satisfaction to the people of Scotland generally. He would appeal to the right hon. and learned Gentleman to give ample time for the discussion of details in Committee.

MR. YEAMAN said, it had been truly asserted that this was a matter which had agitated Scotland for a great many years. As the Representative of a constituency which would be largely affected by the Bill, notwithstanding there were some inequalities in it, which might be remedied in Committee—still he thought that, on the whole, the Bill would be satisfactory to the people of Scotland. He thought it ought not to be referred to the consideration of a Select Committee, and trusted the hon. Member for the Dumfries Burghs (Mr. Noel) would not persevere with his Motion.

MR. M'LAGAN also begged the hon. Member for the Dumfries Burghs not to divide on the question of referring the Bill to a Select Committee. Approving the principle of the Bill he hoped the Home Secretary would give ample time for discussion of the details in Committee. He thought the 10 years' grace was against the interest of the proprietors, and he trusted the right hon. Gentleman would re-consider the clause on the subject. The extraordinary assessment to be put on certain kinds of property under the 49th clause was unjust. The Report on which this Bill was founded was 15 years old, and a Report on the subject now by the same men would be very different, as there had been great alterations in Scotland within the last 15 years.

MR. ASSHETON CROSS: I have to say that, on the whole, I am bound to bear my testimony to the fact that the Bill has been very favourably received by both sides of the House. As this matter has been before the Scotch people so long, I am quite certain that the time has come when it ought to be settled, and I do not think that anybody would gain by delaying the settlement. When I was in Scotland some years ago, I had the honour of receiving a deputation to which the hon. and gallant Member opposite (Colonel Mure) has alluded. I certainly heard both sides of the case very strongly stated, and I did not expect at that time that opinions would be so modified on both sides of the House as they are now, for the difference of opinions which we have heard to-day from that which I heard when I received the deputation is perfectly startling. The hon. and gallant Member opposite will excuse me for saying that he was not "surrounded by both parties" when he appeared before me. I received two perfectly distinct deputations, one from one side and one from another, and the hon. and gallant Member appeared on both. I am bound, however, to say for his comfort that when he appeared on one side, he frankly stated that he was not in accord with the gentlemen who came before me on the other side of the question. I believe that the Bill which was brought forward by the Government last Session has done very much to bring people's minds together on this question; and I believe that in the Bill now before us there are the elements of a very fair settlement of the question, which might be effected in the course of the present Session. I am quite certain in my own mind that the place to fight out whatever has to be fought out is the floor of the House of Commons. There are points of difference, and whatever might be the determination of a Committee upstairs, they would have to be decided on the floor of the

House. When the Report came down, my hon. Friend the Member for the Isle of Wight (Mr. Baillie Cochrane) gave a most frank reason for referring this measure to a Select Committee, for he said that it did not matter, so far as he was concerned, if it took three years to consider the subject. For my own part, however, I do not want to shelve the Bill. I should not have asked the House to read it a second time at this period of the Session if it were not the determination of the Government, as far as they can, to pass it into law. One hon. Member asks me to name a day, and to stick to it, for going into Committee. That would be impossible, because no one can tell how much other debates may be protracted; but if the Government can by any possibility pass the Bill into law during this Session, it is their intention to do so. In order to effect that object, I must appeal to the House on both sides to assist us in discussing in Committee fully but fairly the points that will arise.

Question put, and *agreed to.*

Bill read a second time, and *committed* for Friday next, at Two of the clock.

SUMMARY JURISDICTION AMENDMENT (*re-committed*) BILL — [BILL 173.]

(Mr. Assheton Cross, Mr. Solicitor General, Sir Henry Selwin-Ibbetson.)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—*(Mr. Assheton Cross.)*

MR. BIGGAR moved the adjournment of the debate, on the ground that hon. Members had not had an opportunity of considering the Amendments, and also on the ground that there was not sufficient time left to discuss them.

Motion made, and Question put, "That the Debate be now adjourned."—*(Mr. Biggar.)*

The House *divided:*—Ayes 11; Noes 207: Majority 196.—(Div. List, No. 180.)

Original Question again proposed.

MR. HENLEY, in resuming the debate, condemned the Bill as impracticable. It was without any provision to enable those who had to carry out judgments to be informed of the grounds on which at a previous sitting of the magistrates those judgments were given. The Bill was drawn with an evident idea that petty Sessions Court was to be a Court of Record; but there was no machinery provided for that purpose, and nothing could be more objectionable than the unlimited power of appeal which the Bill allowed. It would be easier to get the Bill set right by referring it to a Select Committee than by a general discussion in this House.

And it being ten minutes before Seven of the clock, the Debate stood adjourned till *this day.*

SUPPLY—NAVY ESTIMATES.

MR. W. H. SMITH stated that it was the intention of the First Lord of the Admiralty to take Votes 6 and 10 of these Estimates on Monday next, and to postpone the other Votes.

And it being now Seven of the clock, the House suspended its sitting.

The House resumed its sitting at Nine of the clock.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

BOROUGH FRANCHISE (IRELAND).

RESOLUTION.

MR. MELDON, in rising to call attention to the restricted nature of the Borough Franchise in Ireland; and to move—

"That the restricted nature of the Borough Franchise of Ireland, as compared with that existing in England and Scotland, is a subject deserving the immediate attention of Parliament, with a view of establishing a fair and just equality of the Franchise in the three Countries,"

said: I rise to ask this House to assent to a principle neither new nor revolutionary. The proposal I shall ask this House to adopt embraces a principle not originating with myself or my Colleagues, but, on the contrary, I ask the affirmance of a principle put forward with peculiar force, and often repeated by those Members who, if past expe-

rience is not delusive, will be found in the front ranks, and most vigorous in their opposition to the Resolution I am about to submit. What is this principle, and what is the simple, narrow, and only issue to be this night decided? The question is, whether this House fairly, honestly, and without favour, legislates for the three Countries, and whether it is true that Ireland is treated by this Imperial Parliament fairly and justly as an integral part of the United Kingdom, and given the benefit of equal laws as England? When the demand by the Irish people for a separate Parliament is discussed in this House, we are told, and by no persons more strongly or more frequently than by the Gentlemen who sit on the opposite side of the House, that the Imperial Parliament gives to Ireland the full benefit of all laws passed for the rest of the Kingdom, and that nothing is refused to Ireland that is granted to England. The Resolution I am about to propose is a practical test as to the *bona fides* of this statement; and upon the vote to be taken to-night depends the determination of the question which I wish plainly to place before the people of the United Kingdom—whether or not England and Ireland are treated to the benefit of equal laws on a subject of greatest consequence? My opinion has long been that the real difference between the two great English Parties in this House is on the subject of the Franchise. The one Party wish that this privilege or right should be extended to the people of this great Kingdom as widely as possible; whereas the other side think of nothing but placing restrictions on the enjoyment by the mass of the people of their political rights. For my part, I wish at all times to bring prominently before the country this great and important difference between Conservatives and Liberals; but, on the present occasion, I wish to distinctly point out that no question of extension of the franchise is raised; but the issue raised merely is whether you will grant to the people of Ireland rights which the Conservative Party, led by the present distinguished Nobleman who holds the reins of office, at the first conferred on the people of England and Scotland? I shall point out, as shortly as I can, what the law is in England and Scotland with respect to the Borough Franchise: I will prove that the Conservative Party themselves were parties to conferring the existing franchise on the inhabitants of these countries; by means of statistics I will show that a large number of the people of Ireland are disfranchised; and I will then leave it to my opponents to justify, if they can, why Ireland in this matter should be exceptionally treated. Before proceeding further, I may just as well state one or two facts that will at once prove the great injustice under which the Irish people labour. The 31 Parliamentary Boroughs of Ireland, with a population of 882,146, having 130,525 rated dwelling-houses, return 39 Representatives by the votes of only 53,953 electors; whereas the City of Glasgow, with a population of 477,732, has a constituency of no less than 60,570; and Liverpool, with a population of 493,405, has a constituency numbering 59,667; and Manchester, with a population of 379,374, returns its Representatives by the votes of 63,938 persons. Thus, each of these cities in Great Britain has a constituency far exceeding in numbers the entire number of persons registered for all the boroughs of Ireland. I will proceed now to state, as shortly as possible, the state of the law in respect of the Borough Franchise in the three Countries. The enjoyment of the franchise by the mass of the people is affected by two distinct classes of laws—first, the law regulating directly the franchise qualification; and, second, those laws which, though more directly affecting the payment of rates, still most materially affect the rights of persons to get placed on the Parliamentary Register. I must, therefore, ask the House to bear with me whilst I call their attention to the laws now in force bearing on these two distinct questions. Under the Reform Act of 1850 every occupier in a borough who was rated for the relief of the poor to the extent of £8, and who had paid such rate up to a certain date, was entitled to be registered as a voter. In order, therefore, to entitle a person to the franchise, it was necessary that he should be rated and have paid his rates. The Act of 1850, therefore, contained provisions to enable an occupier, in case he was not rated by the proper authority, to claim to be rated, but this could only be done by paying or tendering any rates due at the time of making the claim. This provision was almost [illegible] because it threw upon [illegible]

onus of paying not only rates necessary for a person thus rated to pay, but also all current rates then due. I call attention to this point, because I will show that so anxious were the framers of subsequent laws passed for the benefit of England—not extended to Ireland—to facilitate the acquisition of the franchise, that these objectionable clauses were subsequently repealed. Until 1867 the laws as to the Borough Franchise were the same in England and in Ireland, with this exception—that in the city of Dublin, owing to a provision in one of the Collection of Rates Acts, tenants paying their rents weekly or monthly were prevented from being rated; and this provision applying to but one city in the United Kingdom has practically disfranchised several hundreds of persons in the cities of Cork, Dublin, Limerick, Belfast, and Waterford; lessees were required to be rated wherever the premises were rated under £8. The result of this law has been that when the rating qualification was reduced to £4 no occupiers were rated under £8, and such occupiers were obliged to claim to be rated, subject to the almost prohibitory conditions I have above referred to. In the year 1867, the great change in the law as to the qualification for the Borough Franchise took place. In that year a Conservative Government, led by the present Prime Minister, gave the great boon of Household Suffrage to the people of Great Britain—a boon denied by the Imperial Parliament to the people of Ireland. Allow me, before I pass on, to say that the possession by the masses of the people of political power, a knowledge on their part that they return as their Representatives the persons who have the power to bind their persons and property, is one of the greatest safeguards against revolution and discontent; and the Parliament that passed Household Suffrage, and the statesmen who supported it, showed sound judgment, and conferred a lasting benefit on the country. The Reform Act of 1867 did not confer upon the country the boon that apparently was intended to be granted — I say apparently, because I feel certain that the wily statesman, who so magnificently and generously gave Household [illegible], was well aware that, owing to [illegible] and prohibitory nature [illegible] clauses, he was giving but half a loaf, when the recipients imagined they were getting full weight. I have pointed out how, under the Reform Act of 1850, the provisions as to rating and payment of rates seriously interfered with the acquisition of the franchise. These restrictive clauses were not removed by the Reform Act of 1867; but, on the contrary, were rendered—deliberately, I feel certain—more objectionable. This Act made personal payment of rates necessary, made the occupier liable thereto, and took away the right of composition for rates. The Act, however, was beneficial in this way—Household Suffrage was nominally given; occupiers were, in the first instance, to be placed on the rate books under a penalty; power was given to tenants to deduct rates in cases where the landlords were liable, but did not pay; and it was made compulsory on the overseers to serve notices on occupiers in case of the rates remaining unpaid, in time for them to pay the same in time to preserve the franchise. These advantages were counteracted to some extent. The Act imposed the payment of rates on the poor man; it deprived the landlord of the right he theretofore had of compounding the rates, and threw difficulties in the way of obtaining the franchise. In order to show how the present state of the law excludes the great mass of the people from the enjoyment of the franchise in Ireland, I shall quote a few figures taken from Returns presented to this House, and they will prove that the state of England with respect to the Borough Franchise was the same before the Reform Act of 1867. From a Return obtained by my hon. and learned Friend the Member for Limerick (Mr. Butt), in 1874, it appears that in 1866, 56 boroughs in England had less than 500 rated occupiers on their Parliamentary rolls; there were nine with less than 300 occupiers, and in one instance—that of Calne—there were but 144. There were 45 boroughs with less than 500 electors on the rolls, and altogether there were but 500,000 electors on the Parliamentary registers of boroughs in England. The state of England, therefore, before the Act of 1867, was very much the same as the present state of Ireland, and all that my Motion asks for is, that the laws which produced the difference between England in 1866 and England in 1877 should be extended to Ireland.

To show the effects of the rating laws in interfering with the obtaining even of the present franchise, I will quote from a Parliamentary Return, No. 45, printed in the Session of 1874. In Belfast, with a population of 174,413, there are 25,708 tenements value for over £4, yet we find but 14,990 rated occupiers on the Parliamentary register; in Carlow, with a population of 7,842 and 635 tenements rated for over £4, there are but 311 rated occupiers with the franchise; in Cork, with a population of 100,518, and 7,190 tenements rated above £4, there are only 3,737 rated occupiers entitled to the franchise; in Dublin, with a population of 267,717, there are 23,247 tenements rated over £4, and only 11,004 rated occupiers on the registers; of the tenements rated in Dublin there are 21,008 cases in which the rating includes a dwelling-house. Excluding the disfranchised boroughs of Cashel and Sligo, there were, according to this Return, in the other boroughs 127,341 rated tenements with dwelling-houses, and only 44,920 rated occupiers on the Parliamentary register, and we find at the present time 37 borough Members returned to this House by 53,953 electors. In order to illustrate the great difference which exists between Great Britain and Ireland with respect to the Borough Franchise, I will call attention to the following statistics taken from the latest Returns. Dublin, with a population of 267,717, gives the franchise only to 12,310 persons; whereas Leeds, with a population of 7,000 less—namely, 259,212—has upon its Parliamentary register no less than 49,300; Wolverhampton, with a population of 156,978, has 24,341 electors; Norwich, with a population of 80,386, has a constituency of 14,921; and Edinburgh, with 196,979 inhabitants, enfranchises 26,935 persons; Belfast, with a population of 174,413, has on its register 19,633 names. It is a remarkable circumstance that Belfast, with a much smaller population than Dublin, has 7,323 more electors. This arises from the fact that persons in Dublin paying rent weekly or monthly cannot be put on the register, and the exceedingly prohibitory nature of the law in Dublin with respect to the payment of the rates. Bradford, with a population of 145,830, enfranchises 26,801; Greenwich, with 123,408, gives the franchise to 19,990 occupiers; Aberdeen, with only 88,125, has on its register 13,738; Cork, with its population of 100,518, enfranchises but 4,445; whilst Greenock, with only 50,150, gives the franchise to 7,614; Limerick, with 49,853 inhabitants, has only 1,804 electors; while Gateshead, with 48,627, has 11,516 on its register. It will be seen from these figures what an enormous difference exists between boroughs in England and Ireland in the state of their Parliamentary registers. I have already called attention to the fact, that one city in Scotland has a more numerous constituency than all the boroughs of Ireland put together. Now, there is but one other statistical Return to which I will direct the attention of the House, but it certainly is a most extraordinary one. With a population of upwards of 12,000,000, English counties are represented by 187 Members returned by 850,587 electors; whereas the boroughs with a population of more than 10,500,000, are represented by 297 Members returned by 1,514,716, of whom no less than about 1,470,000 are rated occupiers. In Scotland the counties, with a population of 2,106,673, are represented by 32 Members returned by 88,594 electors, while the boroughs, with a population of about 1,200,000, are represented by 26 Members returned by 202,852 electors, of whom about 192,800 are rated occupiers. It will thus be seen that in England and Scotland the electors in boroughs far exceed the number of electors in counties. In Ireland, however, this state of affairs is entirely altered. The boroughs in Ireland, with a population of 866,356, are represented by 37 Members returned by 53,753 electors, of whom 48,000 are rated occupiers; while the counties, with a population of more than 4,500,000, are represented by 64 Members, returned by 173,919 electors. Now, these figures prove beyond doubt that the great mass of the population of Irish boroughs are excluded from the franchise, while the same class are admitted in England and Scotland. All the trades and working classes are in Ireland excluded from the franchise. This proportion of rated occupiers to rated premises and population is extraordinary small, and is altogether different from that which prevails in England, as the figures in many of the largest boroughs clearly prove. The

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contrast between the proportion of electors to population in the English and Scottish and in the Irish boroughs is most marked—the borough of Glasgow has, in fact, more electors than the whole of the Irish boroughs put together. This arises partly from difference in the qualification and partly from the severe and prohibitive rating laws in Ireland, which are directed to prevent persons acquiring the franchise; whilst the rating laws of England and Scotland are framed in such a way as to facilitate the acquisition of the franchise. Those laws in the former country are calculated to deprive persons who possess the franchise of it, and prevent those who have it not from acquiring it. And there is the same disproportion with reference to the county representation as exists in the borough franchise and representation in Ireland. What is the result of this legislation? It is that in England all artizans and tradespeople have the franchise, while in Ireland these parties are excluded from their fair share of political power. I can see no reason why classes enfranchised on one side of the Channel should be disfranchised on the other—every reason, indeed, is against such a course. No greater security against revolution can be imagined than this just and equitable extension of political rights; and the principle is as applicable to England as to Ireland. The effect of this wise extension of political rights in England is the fact that times of crisis in this country no longer give rise to riots such as the Riots of 1870 and the Bristol Riots of 1831. Why should the same effect not be produced in Ireland? I can see no reason. This is no sentimental grievance, but one of the greatest importance; and the Motion which I am now making is one calculated to test the sincerity of those who oppose Home Rule on the ground that all that Ireland requires is the same laws and the same legislative system as exists in England. Irish Members are told every night that the Imperial Parliament is prepared to give equal laws to Ireland. I will test the *bona fides* of those who make that statement by the action they will take on the present occasion. I have shown them that Parliament in its legislation on this subject has dealt with England and Scotland in a particular direction—it has afforded every facility for acquiring the franchise, and in doing so has acted wisely and well. I ask them now to do the same thing for Ireland. I dare say I shall be met by the trumpery argument about the necessity for a re-distribution of seats, but I am not afraid of that; and when the question comes on I think I shall be able to prove that Ireland is not fairly represented in this House in proportion to her population. But apart altogether from the question, Ireland has a right, in reference to the franchise, to equal laws and to the same system that exists in England. I appeal to any hon. Member of the House, whether he be an Englishman or an Irishman, by his vote to strengthen the hands of those who have the hope of doing good for their country through the Imperial Parliament. I, and those who act with me, ask the House to say that Ireland is not to be treated as a conquered country. I appeal to every man who loves his country—whether an Irishman or an Englishman—to strengthen the hands of those who bring forward this Motion, by showing that as long as the Imperial system continues, it is not only consistent with, but conducive to the establishment of the same laws in the two countries. I have brought the subject forward deeply impressed with a sense of its magnitude and importance; and I am determined to test the feeling of the House upon it. I ask the House not to dash away the hope which I entertain; but if they reject the Motion for political reasons, in the face of Europe and of Ireland, they will do more to disunite Ireland from England than anything that has been done for many years. I ask them to consider the sole issue—namely, to give equal laws to Ireland, and they will do great good; but if not, they will do infinite harm. The hon. and learned Member concluded by moving the Resolution.

MR. GRAY, in seconding the Resolution, said, his hon. and learned Friend the Member for Kildare (Mr. Meldon) had gone completely into the subject, and had left very little for him to say. He thought that it would be admitted, even by hon. Members who would vote against the Bill, that a *primâ facie* case had been made out; and unless the facts and figures which had been given by the hon. and learned Member could be disposed of, it would be shown that there were good reasons for not applying the

same reasoning to Ireland that was applied to England. Then, in consistency, the Resolution should be supported. He should therefore devote himself to dealing with the arguments which had been introduced against giving the same franchise to Ireland that was given to England. One of the arguments against it was that the Reform Act of 1867 was a settlement of the question, and they were told they should not disturb that settlement; that they should not pluck the tree that was bearing such magnificent fruit; that they should wait with patience, and not destroy the fruits of the Reform Act by now attempting any other Act. Now, he thought that the Reform Act of 1867 was not a settlement at all. It was a shame that at that time there was no Irish Party and no interest taken in the matter in Ireland. The voice of the popular Party was devoted to another and a far more important question—the settlement of the Irish Church; and, therefore, that really urgent and important question did not come before the House at all. In 1866 they were on the eve of a General Election, and men were, perhaps, not anxious to take a leap in the dark. The borough constituencies of England at that time numbered some 450,000 odd, but by the English Reform Act of 1867, and by the subsequent legislation of 1869, that had been increased to a constituency of 1,500,000—that was to say, in England the constituencies had been trebled, and in Scotland increased by two-thirds. That had been the English settlement. Then, in 1866, the Irish borough constituencies numbered 40,000, and they now numbered only 50,000—that was to say, the settlement added one-fourth to the then existing constituency, while in England they trebled it. It was utterly impossible to compare the two things, and say that it was the same settlement. One of the other arguments brought against this change was, that whereas in England, it was the mere introducing of a desirable class into the constituencies—an infusion of new blood, so to speak, in Ireland, it was a revolutionary change; that while in England they introduced some desirable elements, in Ireland they swamped the old constituencies and degraded them, and that it would be practically a disfranchisement, and not an enfranchisement Act. That was an utter fallacy, and it was the assertion to which the Act of 1867 was the answer. According to a Return granted on the Motion of the late Member for the City of Dublin (Mr. Pim), there were in Ireland altogether in the boroughs 130,000 tenements. Putting aside such minor questions as the number which might be occupied by women and other persons who would be disfranchised, and taking the figures, they would have 130,000 enfranchised; but of these, there would be already entitled to the franchise, although not on the franchise, 73,000; and these valued at £4 per annum, all that could be added would be 50,000. Therefore, instead of trebling the constituencies, as in England, without doing any harm or introducing any revolutionary elements, which they were told would be let loose if the franchise was extended in Ireland, they could not double them in Ireland. It had been said over and over again that the change in Ireland would be a more serious one, and more dangerous elements would be introduced, and it would be a greater leap in the dark than was the change in England in the Act of 1867. But this was not only fallacious, but the reverse of the fact to a very considerable extent. At present they had 73,000—not counting women necessarily franchised—tenements which would entitle their owners to the franchise, and they had only 52,000 absolutely on the register. That was five-sevenths of the constituents. He wanted to impress upon the House that in England the number of the constituents had been trebled without danger and with advantage, and when they asked for similar laws to be applied to Ireland, they were told that in Ireland it would be a revolutionary change—it would swamp the constituencies, and introduce Communism. The fact was, by no possibility could they effect in Ireland such a change as was effected by the Reform Act of 1867 for England. There were really only two arguments against the proposal that was before them. It had been said that they must provide for the re-distribution of seats. That was the business of the Government, not the business of private Members. If a re-distribution of seats were necessary, let the Government take it up. It was an enormous question, but there were Members of the Government with ability equal to it. If it

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merely a question of equal justice and not of how Party politics would be affected by the results, he submitted that there would not be the slightest difficulty. In England the Reform Act of 1867 was accompanied by the redistribution of 45 seats. That same proportion, if applied to Ireland, would give some 10 or 12 seats at the outside. Was that a thing to affect one of the strongest Governments? If that were the insuperable impediment which was to stand in the way of a concession —the giving of a right to Ireland which they could not resist—such an argument as that was unworthy of a great Legislative Body dealing with a serious subject. There was one argument adduced. It was said that the numbers of poor householders in Ireland bore a much larger proportion to the whole than England, and that consequently if they granted household franchise they would introduce a large class which they did not introduce in England. That was a specious argument, and fallacious, because it was based on the want of knowledge of the places dealt with. With the exception of the large towns, such as Dublin and Belfast, the population of all the boroughs in Ireland had, for a series of years, been declining, though it was not so now, the tide having turned in the last few years. The consequence was, that in those places where a diminution had taken place, the rents had been vastly lowered, and the same class of people would live in a house of £2 or £3 rental in Ireland as would occupy a £10 or £12 house in England. That might possibly be the case in Belfast, Tralee, and Kilkenny, but not in most boroughs. The policy in England with regard to the franchise had been to extend the facilities for its exercise; but the reverse had been done in Ireland. The representation in Ireland was in a totally anomalous position. The counties of England returned a small proportion—half the number; the counties in Scotland less than half; and the counties in Ireland more than half. Irish Members had brought forward various proposals for the amelioration of Ireland, and they had been told that they were revolutionary, and could not be tolerated at all. They were anxious to unite with England in the bond of [illegible]ship, and to form an integral [illegible] of the United Kingdom; and if Englishmen were anxious to sweep away all differences and treat them as under one Constitution, and with equal rights and equal privileges, that was an opportunity of showing their sincerity. If they did not, then Irishmen would believe that there was good ground for the belief that it was utterly useless to come to Parliament to ask even for the commonest meet of justice, or ask for the redemption of pledges which were given, to extend equal laws to Ireland.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the restricted nature of the Borough Franchise of Ireland, as compared with that existing in England and Scotland, is a subject deserving the immediate attention of Parliament, with a view of establishing a fair and just equality of the Franchise in the three Countries,"—(*Mr. Meldon,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. W. JOHNSTON, in supporting the Resolution, said hon. Members opposite had often come to that House asking for equal laws; and on every occasion that a revolutionary measure was proposed, he had raised his voice against it, but he considered that this was a moderate request—a fair demand —and it ought to be conceded by the Conservative Party. The hon. and learned Member for Kildare (Mr. Meldon) had supported his Motion in a very temperate and able speech, and he (Mr. Johnston) trusted Her Majesty's Government would gracefully yield to the demand. He was supposed to represent the Tory opinions in the North of Ireland, and he had been always anxious to have fair and equal rights; and an equal franchise for both countries was certainly what was wanted in Ireland. He had no doubt that he should meet with some condemnation on his own side of the House for the course that he was taking; but putting that aside, he hoped that the House would concede that moderate proposal. He trusted that Her Majesty's Government, the right hon. Gentleman the Chief Secretary for Ireland, who had given his extreme attention to all Irish matters, and had treated hon. Members in a most fair and conciliatory manner, and the right hon. and learned Gentleman the Attorney

General for Ireland, would approve of this Motion. He (Mr. Johnston) represented the largest constituency in Ireland, and on the part of the Protestant population of that borough, he had to say that they had no fear of their fellow-countrymen in other parts of Ireland. He asked from the Imperial Parliament equal and fair justice for all portions of the United Kingdom, and he therefore supported the measure most cordially.

MR. STACPOOLE suggested that whatever measure the Government might bring in, they should bear in mind the rights of property in boroughs as well as in counties, and that they should also take into consideration the desirability of establishing a class of freeholds similar to voters in all the boroughs, as at present in cities and counties of towns. He hoped they would grant this small concession, as it would be received as a boon by the people of Ireland. If the borough franchise of both countries had been assimilated in the last Reform Act, there might have been a larger Conservative majority than there now was.

MR. BRUEN said, he was of opinion that the House ought to reject the Resolution now before it. The legitimate consequence of adopting it would be that the Government should drop all their business, bring in a new Reform Bill without delay, and dissolve Parliament. ["No, no!"] He held no system of representation could fully and fairly express the intelligence and genuine wish of the nation that did not recognize a diversity of interests and classes, or that vested the control of the representation in a single class. A very erroneous argument had been advanced upon the idea that, in Ireland, people were actually disfranchised, because the rates were not compounded. He entirely denied the accuracy of that statement. He did not think the time had come when household suffrage could be extended to Ireland with advantage, either to the electors, or the country at large. The effect of extending household suffrage to Ireland, as this Resolution proposed to do, would be to vest the control of the representation in a single class in the great majority of the constituencies. While the total number of houses in the Parliamentary boroughs in Ireland was 130,000, the total number exceeding £4 was 73,000. But in this matter the large towns of Dublin, Belfast, and Cork occupied an entirely different position from that of the boroughs in the rest of Ireland. Of 28 boroughs with 31 seats in that House, the total number of houses exceeding £4 was only 21,277, while the total number not exceeding £4 was 29,809, so that by extending to these 28 boroughs household suffrage, they would more than double the constituency, and have the new electors all of one class—a class the most liable to be acted upon by designing persons, because they had not sufficient education to enable them to weigh the arguments of those who would lead them astray. He denied the cogency of the argument that the franchise ought to be given to a number of persons not qualified to exercise it, in order to educate them in political duties. The franchise ought to be given only to those who proved themselves entitled to it. They had already some experience of the effect of reducing the qualification. A few years ago a Bill was passed which reduced very much the qualification for jurors, and which it was said would have the very best effect. But what were the results? In the interest of the administration of justice it was found absolutely necessary that the qualification which had been lowered should be raised again. That was a warning which they ought not to overlook. He admitted, with pleasure, that the class of his countrymen to which he referred was making great progress. Within the last few years they had advanced in intelligence and independence, in their social habits, their domestic life, and in every other respect, and he believed that progress would before long make them fit for the franchise. But if they were to confer it prematurely and without consideration, they should delay that day. As long as he sat in that House he had a right to state his honest opinion, and for the reasons he had given he could not agree to the Resolution.

CAPTAIN NOLAN remarked that the hon. Member for Carlow (Mr. Bruen) had told the House that if they assented to the Resolution they would be raising up an homogeneous class of voters, who would be arrayed against the present voters. The hon. Member for Tipperary (Mr. Gray) had shown them that the addition which would be made to the voters in Ireland by this proposal would

be only as two to one compared with the number of existing voters; whereas, by the Reform Bill, the number of voters in England were increased three-fold. But what would be the result, even if this proposed addition were made to the number of the Irish voters? In the last Parliament the Liberal Party had received the idea of the Conservative working man with laughter, but he must confess that during the last Election the Conservative working man had come out very strongly, otherwise hon. Members opposite would not be sitting on that side of the House. But he would ask how long would the new electors form a homogeneous body? As long as their grievances remained unredressed, they might possibly remain banded together; but the moment they had obtained relief the same distinctions would arise among them that existed among the English voters. It was no wonder that the Irish people, finding themselves left outside the pale of the Constitution, should resort to unconstitutional means of obtaining redress. The working classes of England had large concessions made to them in the extension of the franchise; and on principles of justice, the franchise ought to be extended to the working classes of Ireland in the manner proposed by the Resolution.

MR. FORSYTH said, the question had hitherto been discussed by the Irish Members alone, but he saw no reason why it should be confined to the other side of the Channel. He was sorry to see so few Irish Members, not more than a dozen of them being present when a question that should be of the gravest importance to them was being discussed. [Captain NOLAN: There are 52 present.] He repeated that he believed that not more than a dozen were in attendance at the time. He had always thought that in dealing with Irish subjects the House should consult the opinions and the wishes of Irishmen as far as possible. The Resolution which asked the Government to consent to the franchise in Ireland being lowered was called revolutionary; but the same was said of the English Reform Bill of 1832 when it was proposed, and yet it proved not to be so. He had always opposed, and always would oppose, Home Rule, because he believed it would lead to the dismemberment of the United Kingdom; but seeing how satisfactory the result of lowering the franchise in this country had been, he thought that a *primâ facie* case, at all events, had been made out in favour of the Resolution; but he should wait to hear what arguments could be adduced against it by Her Majesty's Government before he made up his mind which way he should vote. He did not profess to know Ireland as intimately as many hon. Members who sat in that House; but he had some acquaintance with the country and its people, and he knew that they deserved conduct towards them on the part of the Imperial Parliament which should have the effect of rendering them contented and happy.

MR. M'CULLAGH TORRENS said, that as a Member of the House who had sat for both Irish and English constituencies, he was competent to speak on the question, and he was of opinion that the Motion should be adopted. Parliament had too long delayed an assimilation of the electoral franchise in the two countries. If there was anything certain in history, if there was any use in study, or anything learned from political experience, it could with certainty be said that if the spirit of Mr. Pitt, the great author of the Union, could find utterance, he would not stop to listen to those who would seek to undermine the great fabric he reared, by making the Union one only in name. That distinguished statesman would not approve the long continuance of the inequality that had occurred.

SIR WALTER B. BARTTELOT admired the straightforwardness of the hon. and learned Gentleman who had just spoken, but could not look with equal favour upon the indecision of his hon. and learned Friend the Member for Marylebone (Mr. Forsyth), who seemed to be waiting for indications as to the way in which the majority of his co-Members would vote before deciding as to the Lobby into which he himself would go.

MR. FORSYTH said, he simply intended, in the speech he made, to intimate that he was open to argument before deciding upon the vote which he should give.

SIR WALTER B. BARTTELOT: There was one argument which the hon. and learned Member for Kildare (Mr. Meldon) did not touch. He talked about a £4 franchise for Ireland, and of household franchise in England; but he did not

say a word as to the fact that the rates in all cases in Ireland below a £4 rating were paid by the landlords, nor did he say a word as to the fact that an Irish Valuation Bill being before the House, in which, if he wished to put the two countries on the same footing, he could propose the introduction of a clause with that view. The hon. and learned Gentleman said that the rating and rental of houses in Irish boroughs were not so low as many persons thought, but could it be denied that many houses were rated at 5*s.* and 10*s.*? The hon. Member for Tipperary (Mr. Gray) said that in many Irish towns—and he mentioned Galway, Limerick, Kilkenny, and others—the population had decreased, but the consequence of that must be to bring down the rental of the houses. His belief was that if the borough franchise in Ireland were lowered, the logical sequence would be that it should be followed by a large re-distribution of seats and an increase of the county Representatives. Again, if they went into the facts and figures, and remembering that the right hon. Gentleman the Member for Greenwich took some seats from England and gave them to Scotland, they would find that Ireland should lose at least 20 seats. Eighty would be nearer the proper number of her Representatives than her present number. It should also be remembered that no house in any borough in this country was rated at less than £3 a-year, whereas, as he had said, many houses in Ireland were to be found which were rated at 5*s.* and 10*s.*, and what class of persons occupied those houses? It had been stated that the proposal of the hon. and learned Gentleman would add 56,000 to the number now on the register. Why, that number would swamp the present constituencies; and with what class? Why, the very lowest—those who were most open to influences he would not stop to mention—those who were least able to take care of themselves—those who were most likely to be influenced by others. It had been most detrimental to Ireland that all classes in that country were not fairly and honestly represented, and the happiness and prosperity of a country depended upon all classes being fairly and honestly represented. He opposed the crude and ill-considered Resolution of the hon. and learned Member, and thought it would be unwise and imprudent to adopt it. The right hon. Gentleman the Member for Greenwich had advocated an extension of the household suffrage to counties; but no one knew better than the right hon. Gentleman that a great measure of that kind could not be carried in a hurry—that it required that the voice and feeling of the country should be in its favour. It had not been attempted to be shown that Ireland would be benefited in proportion to the difficulty of dealing with the question, and believing that she would not be benefited, and that on the other hand the change would be detrimental to her interests, he would heartily oppose the Resolution.

SIR JOSEPH M'KENNA altogether denied that the change proposed by his hon. and learned Friend the Member for Kildare (Mr. Meldon), if taken with regard to the existing population, would have the effect of lessening the number of Irish Representatives, as had been asserted by the hon. and gallant Baronet who had just spoken (Sir Walter Barttelot). On the contrary, Ireland would receive a considerable accession of Members. On the principle of population, Ireland was at the present moment inadequately represented. England and Wales, with a population of 22,500,000, returned 484; whereas Ireland, with a population of 5,500,000, returned only 103 Members—a number considerably smaller than that which she was entitled to, if they were to be guided by the rule of proportion. He thought the argument of the hon. and gallant Baronet appeared to be equally as fallacious as his figures.

MR. GOLDNEY opposed the Motion. There were in the Irish borough constituencies only 50,000 voters, and they returned 35 Members to the House of Commons. If those seats were fairly distributed, a great number of them would go to the counties. In 1867 and 1868 the question was discussed, and it was contended that there ought to be a considerable re-distribution of seats in Ireland, if any alteration were made in the borough franchise, some eight or 10 ought to be taken from boroughs and given to counties. On that ground he objected to the Resolution as dealing with the franchise only; and he objected to it further because it pointed to assimilation, which would involve the intro-

duction into Ireland of livery and freemen franchises. The real difficulty in the way of reducing the franchise formerly, was, that for houses under £4 the rates were paid by the landlords; and if we were to alter the rating principle which existed in Ireland for the purpose of bringing down the franchise, it would be necessary to institute an inquiry which would extend over a very considerable period of time.

SIR HENRY JAMES said, he was encouraged to take part in this debate by the statement he had heard the other night—that the Conservative Party had no wish to restrict the franchise in Ireland, and therefore he hoped, if he should be able to show a good case for the extension of the Irish franchise, they would be induced not to vote against the Motion of his hon. and learned Friend (Mr. Meldon). If the House had listened to the hon. and gallant Baronet the Member for West Sussex (Sir Walter B. Barttelot) alone, they would have supposed that the question was, whether the representation of Ireland bore a fair proportion in relation to its population as compared with England. He (Sir Henry James) should have thought that by increasing the number of electors there would have been a decrease in such comparison. In the present system there was an absolute injustice towards the Irish elector. The question might be divided into two parts — first, whether the House was not disposed to think that absolute justice should be done to the Irish elector, by giving him the same franchise which the English elector now had; and, secondly, whether it would not be wise and well that the same step should be taken with regard to Ireland as was taken in 1867 with regard to England. He thought there were special reasons why they should endeavour, if they could, to make their laws equal as between England and Ireland, especially in relation to the Parliamentary franchise. Was the complaint made of the inequality of the franchise substantial and well-founded? He would call the attention of the House to one great difference in the power of expression of English and Irish opinion, and the difference between the franchise established by the two Reform Bills of 1867. In England the suffrage was household suffrage; while, in Ireland, the qualification was an occupation of a house rated at £4. The effect of that change in England from the £10 household qualification to household suffrage, speaking in round numbers, was to increase the number of electors from 500,000 to 1,500,000 voters, or nearly treble the number; whereas the change which it was calculated would be effected by the proposed alteration in the Irish franchise, taking the number of Irish voters at 52,000, would not be more than 105,000. What had been the effect of this restriction of the franchise in Ireland as compared with England and Scotland? Dublin, with a population of 267,000, had 12,300 electors, while Leeds, with a population of 259,000, had 49,000 electors; and Edinburgh, with a population of 196,000, had 27,000 electors. Cork, with a population of 100,000, had only 4,445 electors, while Greenock, with a population of 50,000, had 7,614 electors. Limerick, with a population of 49,000, had 1,800 electors; while Gateshead, with about the same population, had 11,500 electors. The whole of the 31 Irish boroughs, with a population of 881,000, had only 53,000 electors, while Glasgow, with a population of 477,000, had 60,000 electors, more than all the Irish boroughs put together. Liverpool, with a population of 493,000, had 59,000 electors; and Manchester, with a population of 379,000, had 63,000 electors. These were inequalities which must be justified. *Primâ facie* there was a wrong; and those who supported the inequality had to show why one part of the Empire should not have the same electoral rights as the other parts, England and Scotland. The only practical argument against the proposal was that brought forward by the hon. and gallant Baronet the Member for West Sussex, who said that as the landlord in Ireland paid the rate on all houses under a rental of £4, the occupier of such a house ought not to be entitled to have a vote. But that was no reason why the occupiers should be deprived of their franchise. When the dispute about the compound householder was settled in 1869, the landlord received an allowance of 25 per cent as an encouragement to bear the burden of the rates of his tenants who compounded, and Parliament gave the franchise to all occupiers, whether rated below £4 or not. Another argument had been used as to the value of the houses below £4 rental; but it had been

shown that, in consequence of emigration, there were houses in Ireland for which a landlord was glad to receive any rent whatever. But the value of the house or the rental paid was no criterion. It was abolished by the Act of 1869, which conferred household suffrage, and he knew no reason why it should not be extended to Ireland. It should be recollected that when household franchise was accepted by the Conservative Party in 1867, we had got rid of the notion that a man's fitness to exercise the franchise was evidenced by his occupying a house the value of which was at least of a certain amount. The principle on which the Prime Minister then suggested the franchise had better be discussed, was not whether a man was entitled to the franchise because he occupied a house the rent of which was £10, or £6, or £5; but whether, as the head of a family, irrespective of the rent he paid, he did his duty as a citizen of this country. But was that which was good for England not good also for Ireland? They had been discussing whether £4 in Ireland represented the same value as in England. They were told that houses might be obtained in Ireland at a rental of only 25*s.* or 30*s.*, and that persons who obtained houses so cheaply were not fit to exercise the franchise. According to that argument, the franchise should be conferred on the house. When we were endeavouring to give an Irishman the idea that he had equal laws with ourselves, what must be his feeling when he was told that, although he fulfilled his duty as a citizen in his own country, he could not have a vote because his rental was below £4; and yet if he came to England a mere wanderer, and became the occupier of a house of less value than £4, in whatever town in England, he would have the franchise? He asked hon. Members opposite to consider well what would be the effect of their rejecting this Motion. In every borough in Ireland, excepting in the Northern Province, a strong feeling existed against English rule, and against the application of the laws of the Imperial Parliament to Ireland. Did hon. Members opposite expect they would remove that feeling, which he believed to be an erroneous one on the part of the Irish electors, if they refused to give equal laws to Irishmen? What could be more absurd than to tell an Irishman that the laws were good and wise, but that he should have no voice in electing the Representatives by whom those laws were made? If the inequality existed, as the figures cited in the course of the debate amply proved, then there was but one argument—a conclusive one, if true, against giving Ireland the same laws as England. It was that the Irishman was not fit to exercise the franchise. That argument, however, had not even been urged by the opponents of the Motion, and it could not be sustained. But it was the old argument on the one side, to say that men were not fit for the franchise, and it was an equally old reply on the other side, to say that if they kept the franchise from men and baniahed them from the area of political thought, they gave them no means of fitting themselves for the discharge of a high political duty. Believing that it had not been shown that Irishmen were not as fit to exercise the franchise as Englishmen, and that they ought not to be denied equal rights with ourselves, he should give that Motion his hearty support.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) remarked that the hon. and learned Member for Taunton (Sir Henry James) appeared to have forgotten that he was a Member of a strong Government, which though it was in office for some five or six years, had never dreamt of introducing a measure on that subject, which the hon. and learned Member now treated as one of the gravest importance, and one which he would lead the House to believe had always been present to his mind. The Motion had been very skilfully and speciously framed, but the House ought to look beneath its mere phraseology, and to inquire what was its real substance. He maintained, and would endeavour in a few observations to show, that there was more diversity in words than in reality—that the franchise was not so very different in the two countries. The House was asked to affirm that a broad and radical change in the balance of electoral power in Ireland was not only desirable, but that it demanded the immediate attention of Parliament. But had it been shown that the people of Ireland generally now took a vital and active interest in that question? Any one who had the slightest acquaintance with Ireland and with the newspapers, and any one who read those papers must

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be familiar with this question, and know well that it was one of those in which there was the utmost indifference in Ireland. ["No, no!"] That was his opinion, and he was entitled to express it. He spoke from his knowledge of Ireland and from what appeared in the newspapers of that country, which discussed nearly every topic which interested the people. Moreover, at the very last Election in Ireland—namely, at Tipperary, where there existed one of the largest constituencies in that country, comprising nearly 9,000 electors—although it was said that the contest commanded the greatest possible interest, only a fraction over 5,000 of the electors went to the poll. Surely, that showed that a considerable degree of apathy prevailed in the public mind as to that question. Was there no test inside the House? The hon. Member for Cavan (Mr. Biggar), who had taken so active a part with reference to other Bills, had obtained the First Order of the Day about three weeks ago for his Franchise Extension Bill for Ireland; but he had to postpone it, because he had not taken the trouble to have it printed. That was a fair test inside the House, and, therefore, on the plea of substance, he considered that there was not such a strong interest in Ireland as to demand the immediate attention of Parliament to the subject. This was, no doubt, an important question. It would be idle to deny that, but it was only part of an important question, and was, in fact, part and parcel of the question of the re-distribution of seats. That topic had been urged before, and the House could not take one part of the question without the others. The re-distribution of seats was even in some respects the more urgent question of the two. He hoped, as an Irishman, that when they came to deal with the question of re-distribution of seats, it would be found that Ireland had not more than her fair share of Representatives; but it might be considered that she had more in proportion to population than Scotland and England, and in that case it would be discussed whether Galway and Waterford were entitled to two Members each. Viewed in that light, certainly, the question was most important to Ireland. A constituency like Waterford would be in a terrible dilemma, when they had to consider by which of their distinguished Members they should be represented. [Major O'GORMAN: Not at all.] Again, anyone who looked at the list of boroughs would see that many of them were very small. They would have to compare those in the South with those in the North of Ireland, and they would hear that some were decaying and some were flourishing. That might make some very considerable transfer of electoral power necessary. It was urged that the Bill of 1868 was not a final settlement of the question; but what could be a final settlement? Still, as the whole matter had been considered so recently as 1868, when a very large measure of Parliamentary reform was granted, he could not think that it was as yet very urgent. ["Hear, hear!"] That was a fair observation to make. ["No, no!"] Well, that Reform Bill reduced the franchise qualification to one-half, and the measure added to the electoral lists, a very considerable number of voters. A good deal had been said about rating in Ireland, which it had been stated was not at present satisfactory, because in Dublin and elsewhere there were a great many more people entitled to be rated than were actually rated. Was not that a necessary ingredient of any system of rating? In England, where the system was said to be nearly perfect, did the number of people who were entitled to be rated anything like correspond with the number actually rated? He would point to Norwich, where the number rated was 3,000 or 4,000 under the number entitled to be rated, and to Salford, where the difference was 6,000 or 7,000. It would be easy to show that the argument which had been applied to Ireland as evidence of an imperfect system might just as well be applied to England. This, however, was only a small part of the question, and he would not go further into it. The substantial question raised was, whether the present limit—that of the £4 franchise—should be taken away and household suffrage introduced. Before household suffrage was adopted in England, there was a very careful inquiry, which was quite wanting in the present case; and the result of the inquiry was to show that the number of male occupiers of houses paying rent under £4 was only about one-ninth of the number occupying houses at higher rentals. That was a

broad ingredient which must have entered the mind of Parliament when the change was made. A fair voice was given to every class, without a preponderating voice being given to any. It ought also to be considered that England was a manufacturing country, and that the great proportion of the people who dwelt in great boroughs consisted of artizans and skilled labourers. He should like to know in how many towns in Ireland that was the case. A Parliamentary Return presented last year showed that in 50 boroughs there were something under 70,000 male occupiers whose rental was under £4, while there were 300,000 who paid a higher rental, the poorer class being, therefore, in a decided minority. Ireland, on the other hand, was an agricultural country, and many of the inhabitants of the smaller boroughs were, in reality, agricultural labourers. In Limerick there were as many as 1,700 houses rated at £1 and under, and in a town in Galway there were 342 houses rated at 5*s.* a-year. Was there a single borough in England where there was a house rated so low as 5*s.*? And yet it was suggested that they would be introducing practical equality by giving a vote to a person occupying a house rated at 5*s.* In Belfast, on the other hand, which more nearly resembled an English town than any other town in Ireland, out of over 30,000 houses, considerably under 100 were rated under £1. The effect, therefore, of adopting household suffrage in Ireland would be that you would at once and immediately in 29 out of 31 boroughs give the whole representation to those who occupied houses under £4. That would introduce a change absolutely different from any which had been made in England. There was a Bill at present among the Orders—he meant the Valuation Bill—the effect of which, when passed, would be, among other things, to operate as a moderate Reform Bill, and thus to add many thousands to the electoral roll of both counties and boroughs in Ireland. It was obvious, as he had already said, no matter what might be the condition at present of the boroughs in Ireland, that the question could not be considered by itself, but must be considered in conjunction with a re-distribution of seats. It was a part of a great question which must be dealt with as a whole, and when the matter was ripe, it would be so dealt with. The Resolution said that this was a question which deserved "the immediate attention of Parliament." Applying the test of opinion either in-doors or out-of-doors, he could see no symptom of any such urgency. The hon. and learned Member for Limerick (Mr. Butt) had taken great interest in this subject, and had kept it before the country, but had not succeeded in attracting so much attention to it as to other questions. For these reasons it would not be possible for him (the Attorney General for Ireland) to assent to a Motion which declared that this was a question which deserved "the immediate attention of Parliament."

MR. BUTT said, that if the House would favour him with a hearing at that late hour, he would endeavour to give a few reasons for the adoption of the Resolution now before the House. When his right hon. and learned Friend opposite (the Attorney General for Ireland) talked of his (Mr. Butt's) having failed to interest, either the country or Parliament in this question, he must have forgotten that last year the Government defeated a Motion on this question only by the narrow majority of 13. Was that evidence that Parliament took no interest in the question? And in what position did that place the House of Commons? In that division 55 Irish Members recorded their votes for extending the franchise, and only 14 were found hardy enough to vote against it—a clear proof that those in Ireland who desired to share political power with their countrymen, who did not possess it, were overruled by a majority of English Members. If, then, the House of Commons had any regard for the opinions of Irish Members, would they place themselves in the invidious position of refusing to allow them to share political power with their fellow-countrymen? He could not help thinking that the right hon. and learned Gentleman might have spared his allusion to the late Government. He (Mr. Butt) was not a defender of that Government; but he could not forget what the Government of the right hon. Member for Greenwich had done for Ireland. It had established religious equality and laid the foundation of full justice to the tenant. Were not the Irish Church Bill and the Land Bill occupation enough for a Govern-

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ment? The right hon. and learned Gentleman also attempted to settle the University education question, and carried the Ballot; and was it any wonder that he was not able to attend to the franchise? He would now briefly allude to the history of the Irish franchise from the days of King John. From that period, when the English obtained their power over Ireland, the franchise and the electoral law in Ireland had been the same as it was in England down to the time of the Union. Still the 40*s.* freehold franchise was retained until the time of the Emancipation Bill, when it was abolished. Here he would say that there was never a concession made to the Irish people that was not accompanied by an unfair diminution of their electoral privileges. What they now wanted was the restoration of those privileges—that they might be placed in a position of equality with the people of England. Were they, he would ask, entitled to the same privileges, or were they not? [*Cries of* "No!" *from the back Ministerial benches.*] Was that their answer? Was that their regard for the engagements into which they entered at the time of the Union? If the people of Ireland were not entitled to these franchises, then the people of England were not fit to govern them. He would now come to the question of household suffrage, which was a far higher and a far grander thing than these petty objections about houses, whether rated at 5*s.* or at £500. ["Oh, oh!"] What, had they come to hate household suffrage? What did it mean? It meant that every father of a family who was able to keep a house over his head for one year, should be entitled to the franchise; and when Lord Beaconsfield granted it to the people of England, he was able to go down to the Mansion House, and tell the country that it was to that he attributed the contented and peaceful attitude of the English people when the inhabitants of other countries were in a condition of disaffection and revolt. Why should they not try the same experiment with the people of Ireland? But after all there was no real force in what had been said about the low rating of the houses in the Irish boroughs, for, naturally, in a poor country, the rents, and consequently the rating, must be always low. In Ireland the franchise was given to occupiers of houses rated, not at £4, but at more than £4. The franchise would have been much more extended if it had been given to houses rated at £4. In the city which he represented (Limerick) the number of electors under the new system was less than under the old one, and the general increase of electors in Ireland in consequence of the last Reform Act was very slight. In Youghal the number had been increased from 240 to 270, and this might be taken as a fair illustration of the increase of the constituencies of Ireland. Well, was it intended by that Act to increase the number of electors? Because, if so, it had failed. He contended that there was not a single town in Ireland in which, tested by the numbers entrusted with the franchise, there was a fair representation of the people. The lowness of the rental had been alluded to, and it was said there were houses let at rents from £5 to £1. He confessed he had often inquired for these low-rented houses of £1; but had never been able to find them. If, however, the houses were let at a low rental, that was a reason why Ireland ought to have a lower franchise. The statement that the lowering of the rating qualification would add thousands to the electoral roll was a condemnation of the present state of things. The rent of a house was not the only test of a man's position. If a ship carpenter in Limerick could live in as good a house at 5*s.* a-year as one at Liverpool could get for £10, that did not lower the social status of the former. If the value of a house was to be evidence of a man's status, the standard must be lower in the poor country than in the rich. If there was to be a concession at all, it ought certainly to be made in favour of the poorer country; besides which, the fusion of the whole body of householders with the present electors would do away with undesirable anomalies like that which existed in Portarlington, where the constituency returning a Member was scarcely 100. He admitted that Her Majesty's Government had every disposition to treat his country fairly, but, unfortunately, their good intentions were all expressed in the *paulo post futuro* tense. Their promises were always prospective and indefinite. Household franchise in England meant something higher, better, greater than giving a man a vote be-

cause he lived in a house of a certain rent; and when it was given in England, why should it be refused in Ireland? How could we talk of being a united Empire, when the bases of Parliamentary representation were different in the two countries? There was no re-distribution of seats based upon enfranchisement in England. Could they not rectify this monstrous injustice until they had prepared some elaborate scheme for the re-adjustment of the representation? Who was to prepare that scheme? Who was to bring it forward? Was this not an excuse for indefinite postponement? Were they, or were they not, prepared to give them household franchise in Ireland, as they had given it with the happiest results to England? If they refused this concession, it would tend still further to alienate the affections of the Irish people from that House. He should regret it; but that would be the effect. On the other hand, he held that the adoption of the Resolution would be a pledge to the people of Ireland that they had abandoned the theory of treating Ireland as a conquered country, and Irishmen as an inferior race, and were about to enter upon a course of conciliation to Ireland; and if they did that, bitter memories would pass away, and under one Constitution and by the enjoyment of common privileges, a union would be effected between England and Ireland which would not be broken or disturbed by either internal disturbances, or external influences.

SIR MICHAEL HICKS-BEACH said, he was anxious to call the attention of the House to the importance of the issues which appeared to him to be involved in the Motion of the hon. and learned Member for Kildare. This was no mere question of the increase of a few thousand votes—no technical point of rating or registration. It was practically a proposal to adopt household franchise in Irish boroughs. It was in itself a greater change with regard, at any rate, to 29 out of the 31 Irish boroughs, than was inaugurated in England by the English Reform Bill in 1867. He did not say that it was a greater change in the actual number of persons on whom it would confer votes; but it was a greater change in the actual distribution of political power, if any regard were to be paid to the position of the persons who would be enfranchised by it. Although the English Reform Act of 1867 enfranchised many persons below £10, a very considerable proportion of them belonged to the lower middle and artizan classes; but this proposal would make an infinitely greater change, for those whom it would introduce would almost entirely consist of the very poorest of the labouring classes. On what arguments was this proposition supported? First, they were told, because the law in England should be the law in Ireland; but that really was no argument at all. It was notorious that in abolishing the Church Establishment and in passing the Land Act—questions not less important than Parliamentary representation—that House saw fit to deal with Ireland in a way in which it never would adopt for England. It was even more notorious that Irish Members had during the present Session pressed Parliament to deal with Ireland in other important points as England would never wish to be dealt with. The only subject with regard to which the argument for identical laws could be used were those in which the circumstances of the two countries were identical. That this question was not among those subject might, he thought, be inferred from the general practice of Parliament as to Reform during the present century. The 40*s.* franchise had been abolished in Ireland; it had not been abolished in England. The county franchise in Ireland was at one time fixed at one figure, when in England it was fixed at another. Up to, and including the Acts of 1867 and 1868, the practice of Parliament had been to deal with the representation of the people in a different way in England and in Ireland. And when they looked into the circumstances of the two countries, it was not difficult to find the reason. It was clear that the valuation of the houses occupied by the great mass of the persons whom it was that evening proposed to enfranchise, was very different from the valuation of the houses occupied by the persons who had been enfranchised in England. He did not wish to press this question of valuation too far. He did not mean to say that because a man happened to live in a house of the value of £1, he ought never to have the franchise. He admitted there was force in the argument of the hon. and learned Member for Limerick (Mr. Butt), that in a poor

country a lower valuation might not unfairly correspond with a higher valuation in a richer country; but, in this case, the valuation statistics proved that the voters who would be added, if the Resolution were carried, were almost entirely composed of the poorest class of day-labourers. They had been told in this debate that it was wise to endeavour to wean these people from revolutionary agitation, to which some of them in past times had been too ready to resort, and by including them, as it was said, "within the pale of the Constitution," to lead them to seek for the redress of their grievances by constitutional means. He admitted the force of that argument also; but it ought not to outweigh this proposition, which should be foremost in their minds in dealing with any question of Parliamentary franchise—namely, that their duty in such a matter as this was to endeavour to obtain a real representation of all classes and of all interests in the country. Would anyone say that the interests of those persons whom it was proposed to enfranchise were the least represented at this moment? He thought it might fairly be argued that these poor householders had their wants and their wishes often more fully stated to the House, and perhaps defended by a greater number of Irish Representatives than the Irish landlords, the Irish merchants, or the learned or professional classes in Ireland. The Ballot was adopted as a remedy against undue influence. He was far from wishing to preserve any undue influence which might have been exercised in former times by landlords in Ireland. But was it entirely for the good of the country that the advice and opinion of an educated, active, energetic landlord, living among his tenantry and devoting himself to their welfare, should be, as now constantly happened, entirely disregarded by that tenantry when the day for the election of a Member of Parliament came. ["No, no!"] The hon. Member for Galway, who said "No," was one of those fortunate Irish landlords whose feelings happened to be in unison with those of the class to which he had referred; and it would be but fair in that hon. Member to remember that the opinions which he held were entertained only by an infinitesimal minority of the owners of land. Then, as to the merchants and those engaged in commerce in Ireland, who in many things were, after all, the mainstay of the country, had they, as a class, the same opportunities for entering that House which were afforded to persons holding the same position in England and Scotland? He had seen in *The Freeman's Journal*, which had been writing very strongly lately in support of that measure, that even a man so known and esteemed by all parties as the hon. Baronet who represented Dublin (Sir Arthur Guinness) would be rejected as a matter of course if that proposal became law. [*Laughter.*] Would those who laughed remember that a few years ago a Gentleman occupying almost as high a position, but a Liberal in politics (Mr. Pim), was rejected in the City of Dublin, simply because he was unable to adopt that view of Irish politics which commended itself to hardly one in a hundred persons of wealth, position, or education, but which had been adopted by a majority of Irish voters? Again, were the professional and educated classes in Ireland adequately represented in that House? He did not argue the question as a Party one; for was it not notorious that one result of the Ballot in Ireland had been the practical ostracism from political life of what used to be an important and influential Party—the Whigs, which comprised within itself, though few in actual numbers, no little of the learning and the science of that country. It was said before the passing of the English Reform Act of 1868, that the result of admitting so large a preponderance of the poorer labourers to the franchise would be that the class above would be swamped, and that the new electors would practically control the representation. That had not been found to be the case, because there was no such division of opinions and interests between classes in England as had been supposed. Hon. Members who represented English constituencies, on whichever side of the House they sat, numbered among their supporters both the rich and educated and the poor and ignorant. Persons of all grades were found voting together. On the other hand, they might regret the fact, but it was nevertheless true, that in Ireland, unhappily, there was still a broad and deep line of religious and political distinction between the different classes of the population. And although that was known to be the case, it was

proposed—not to deal with the constituencies in such a way as to secure a better representation of all, but to add to them on one side only—to add a body of the poorest and most ignorant of the Irish labourers in such numbers as would control the whole representation, and to do this where, as had been truly pointed out by the hon. and gallant Baronet the Member for West Sussex (Sir Walter Barttelot), there was practically no middle class, and but few of those intelligent artizans or tradesmen who formed so large a proportion of the borough constituencies of Great Britain. He did not doubt that at some time Parliament would deem it right to lower the Parliamentary borough franchise in Ireland; but he ventured to say that in lowering that franchise, the other points to which he had alluded ought not to be neglected. Such a proposal as that now before the House would be a reform of Irish representation—if it could be called a reform — in the direction in which it was least of all needed, and would ignore the most pressing wants of the case. The hon. and learned Member made light of the arguments used with reference to a re-distribution of seats; but it ought not to be forgotten that in 1866, Parliament distinctly laid down the principle that a large extension of the franchise must be accompanied by a re-distribution of seats. The franchise in Ireland had often been considered since the Union—perhaps, if considered less often, it might have been more satisfactorily dealt with—but he believed that no re-distribution of seats had even taken place, although in many points the circumstances of the constituencies had materially changed; and if, as was admitted by hon. Gentlemen opposite, there was any force in the argument, that the wealth as well as the population of a district was entitled to representation, then certainly there were parts of Ireland which required more representation than they had at present. Well, if that was so, if the borough franchise could not properly be dealt with alone, what was it that the House was asked to do this evening? It was asked to record the opinion—

"That the restricted nature of the Borough franchise of Ireland, as compared with that existing in England and Scotland, is a subject deserving the immediate attention of Parliament?"

What did that imply? If it be taken to imply what he had stated; if there was any agreement, as he thought there was, that other questions besides the borough franchise required to be dealt with, it was quite clear that the adoption of that Resolution would pledge its supporters to an Irish Reform Bill. He asked hon. Members to consider what that meant. A Reform Bill must necessarily take precedence of every other subject that could engage the attention of Parliament. English and Scotch measures must be put in the background; Imperial questions must be for the moment shelved; such Irish Business as the Government might have desired to proceed with—though they had never pretended to occupy the attention of Parliament excessively with Irish Business—must be dropped, and their first work next year must be an Irish Reform Bill. Well, they had had this Session some experience of the time that might be spent by the exertions of two or three Irish Members on an English Prisons Bill.

MR. BUTT rose to Order. Was the right hon. Gentleman in Order in referring to former debates?

MR. SPEAKER said, hon. Members were not permitted by the Rules of the House to refer to former debates in the current Session on the same subject; but they might refer to former debates by way of illustration. The right hon. Gentleman had done so, and therefore he was perfectly in Order.

SIR MICHAEL HICKS-BEACH: That was all he wished to do—to illustrate the time likely to be consumed. They had had during former discussions some experience of the time that might be spent upon an English Prison Bill by two or three Irish Members. Now, he feared that any Reform Bill for Ireland that might be proposed by the present Government would not be likely, at any rate, in all its details, to commend itself to hon. Members opposite, and judging from past experience, it could scarcely be doubted that an Irish Reform Bill would, at least, be sufficient work for a Session. Well, it was possible that such a cessation of the ordinary Business of the House might be required; but did the facts of the case warrant any such opinion? His right hon. and learned Friend the Attorney General for Ireland had already alluded to the singular mis-

fortune which attended the Franchise Extension Bill that was introduced and withdrawn in the present Session by the hon. Member for Cavan. But in the last three Sessions Bills relating to the borough franchise had been introduced by the hon. and learned Member for Limerick, or some of his Supporters, which had never been pressed to a second reading. Carefully prepared measures on University Education and the Tenure of Land in Ireland had, instead, been pressed on their notice as the particular subjects to which the attention of Ireland was most devoted, and on which legislation was most urgently required. He knew of nothing which would warrant Parliament in throwing over all its other Business for some time to come in order to devote its attention solely to the question of an Irish Reform Bill. The time might come, and he hoped it would come, when this might be possible and advisable, for he thought an Irish Reform Bill, properly conceived and carried out, would be a great boon to the country; but he did not think that the House was at present prepared to adopt such a course. He therefore proposed to support the original Motion that the Speaker do now leave the Chair, as tantamount to the Previous Question; and he trusted that the House would not, by adopting one of those abstract Resolutions which were never conclusive and generally mischievous, commit itself to a precipitate approval of this partial and unsatisfactory mode of dealing with a great and important question.

Question put.

The House *divided*:—Ayes 239; Noes 165: Majority 74.—(Div. List, No. 181.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Original Motion, by leave, *withdrawn*.

Committee *deferred* till *Monday* next.

BANKRUPTCY ACT (1869) AMENDMENT BILL.

LEAVE. FIRST READING.

MR. SAMPSON LLOYD, in moving for leave to bring in a Bill to amend "The Bankruptcy Act, 1869," said, that as it was still uncertain whether the Government Bankruptcy Bill would pass that Session, the Chambers of Commerce, thinking that the Act of 1869 was in its main features a good one, wished to place their opinion on record with regard to bankruptcy legislation by means of the Bill which he now asked leave to introduce.

Motion *agreed to*.

Bill to amend "The Bankruptcy Act, 1869," *ordered* to be brought in by MR. SAMPSON LLOYD, MR. NORWOOD, MR. RIPLEY, and MR. WHITWELL.

Bill *presented*, and read the first time. [Bill 199.]

House adjourned at a quarter before Two o'clock till Monday next.

HOUSE OF LORDS,

Monday, 18th June, 1877.

MINUTES.]—SAT FIRST—The Lord Bishop of Saint Albans—Took the Oath.

PUBLIC BILLS—*First Reading*—Metropolitan Commons Provisional Order * (111), and *referred* to the Examiners; Pier and Harbour Orders Confirmation (Nos. 1 and 2) * (112 and 113), and *referred* to the Examiners.

Second Reading—Local Government Board's Provisional Orders Confirmation (Belper Union, &c.) * (87).

Committee—Oyster and Mussel Fisheries Order Confirmation * (73); Tramways Orders Confirmation (Barton, &c.) * (61).

Committee—Report—Pier and Harbour Orders Confirmation (No. 3) * (100).

Report—Burial Acts Consolidation (80).

Third Reading—City of London Improvement Provisional Order Confirmation (Golden Lane, &c.) * (82); Metropolis Improvement Provisional Orders Confirmation * (72); Greenock Improvement Provisional Order Confirmation * (83); General Police and Improvement (Scotland) Provisional Order Confirmation (Dumbarton) * (68), and *passed*.

SAT FIRST.

The Lord Bishop of Saint Albans—Took the Oath.

BURIAL ACTS CONSOLIDATION BILL.

(*The Lord President.*)

(NO. 80.) REPORT OF AMENDMENTS.

Amendments *reported* (according to Order).

THE LORD CHANCELLOR said, that when a Bill came before their Lordships

at this stage, the practice was that Amendments should be taken in the order in which they stood upon the Notice Paper; but if there were any new clauses or Amendments to be proposed which interfered with the principle of the measure, the usual course was to consider such new clauses first. The reason for that course was obvious. The introduction of a new clause or clauses into the Bill might affect such an alteration in its character as to require Amendments in its other provisions.

THE MARQUESS OF BRISTOL said, that in deference to what had just been stated by the Lord Chancellor, he would postpone, for the present, a Motion of which he had given Notice, to the effect that until such time as existing churchyards or consecrated burial grounds should be closed by the action of Parliament or otherwise, they should be available for the interment of those who should not, during life, have belonged to the Church of England as by law established, with such Christian and religious services conducted by authorized ministers as might be approved of by Parliament.

THE ARCHBISHOP OF YORK proposed, after Clause 4, to insert Clauses—

(Power to convey a portion of burial ground for widening of roads.)

(Power to convey a portion of burial ground for a mortuary.)

THE DUKE OF RICHMOND AND GORDON said, he saw no objection to the proposal of the most reverend Prelate.

Clauses, with verbal Amendments, *agreed to*, and *inserted* in the Bill.

THE ARCHBISHOP OF YORK rose to propose the insertion of the clause of which he had given Notice, and which he thought no more than a reasonable concession to the consciences of the clergy.

Moved, after Clause 73, to insert the following clause:—

"No incumbent or curate of the Church of England shall, after the passing of this Act, be liable to any penalty for refusing or omitting to perform the burial service of the Church at the funeral of any deceased person, if it can be shown to the satisfaction of the court that in such refusal or omission he acted under a reasonable belief that grave scandal and offence would be occasioned to the parishioners by the use of the said service: Provided that in every such case it shall be the duty of the minister declining to perform such service, if he would otherwise be required in law to perform it, to give notice of his refusal to the relatives or persons taking upon them the duty of providing for the burial of such deceased person, in such manner and within such time as to enable proper provision to be made for such burial: Provided, further, that the incumbent or curate so refusing shall at the time transmit a statement of such refusal, and of the grounds thereof, to the Bishop of the diocese."—(*The Lord Archbishop of York.*)

THE DUKE OF RICHMOND AND GORDON said, the most rev. Prelate who had just spoken advocated the clause he had now proposed on the ground that it was the wish of the Lower House of Convocation that the clause, or some provision of a similar nature, should be allowed to form part of the Bill. He trusted that when they came to consider another clause which was to be proposed by the noble Earl (the Earl of Harrowby), the most rev. Prelate would be found among those who regarded the wishes of the parochial clergy. On a former stage of the Bill this clause was submitted in very bad English; on this occasion its English was somewhat improved; but he thought that when its effect came to be understood out-of-doors it would not receive very general support. The clause gave power to a clergyman to decline to perform the burial service over a deceased person if he had reasonable belief that grave scandal and offence would be occasioned to the parishioners by the use of such service. If, however, the clergyman had power to decline to bury the body, some other person must have power to inter it. He asked their Lordships to consider what might be the effect of this provision in the agricultural districts. If, for example, the clergyman declined to perform the service over the relative of an agricultural labourer, it was not probable that any neighbouring clergyman would perform that service, and the labourer would have to get a lawyer to apply to a Bishop's Court. A more unhappy state of things he could not conceive, and he hoped, therefore, that their Lordships would reject the clause.

THE ARCHBISHOP OF CANTERBURY said, he could not agree with the noble Duke the Lord President. He hoped their Lordships would have some regard to those 4,000 clerical petitioners who some years ago urged upon their Lordships substantially the same proposal

as that which was now made by his most rev. Brother; and the Ritual Commission, after four years of labour and intense attention, suggested the adoption of a provision very similar to this. The noble Duke seemed to fear that if a clergyman declined to read the service over a person who had died in the commission of a scandalous offence, no proper provision could be made for his interment. When this Bill was last before their Lordships, it contained a provision for the silent interment of those who dissented from the Church of England; and if that was sufficient for the most religious and best-conducted Dissenters, it would surely be enough for those who died in the commission of notorious crime. The matter was not by this clause left to the discretion of the incumbent or the Bishop—the clergyman must be able to prove to the satisfaction of the Court that he was justified in refusing to read the service. The cases which this clause was meant to meet were not unfrequent. In one case a man reeled out of a public-house in a state of absolute intoxication, and died in a ditch. The clergyman was required by law, in the presence of those who knew the whole transaction, to declare that it was good that this man had been taken out of the world, and to express over him those words of hope which were contained in the Burial Service. He did not believe that any difficulties would arise; and in those cases where the clergyman used the power given by this clause, the relatives of the deceased might avail themselves of the previous clause introduced into this Bill. He hoped, therefore, that their Lordships would accept this clause.

THE LORD CHANCELLOR said, that he was sensible of the excellence of the motives which had led the most rev. Prelates to propose and advocate this clause, and of those extreme cases in which it must be most painful to a clergyman to read the Burial Service of the Church over a deceased person. He did not say that a remedy was not well worthy of the attention of their Lordships, and hoped that at some future stage a proposal might be made to meet the difficulties of the case. But he asked their Lordships to pause before they accepted a clause which might have consequences more serious than the evils which it was intended to remedy. This clause gave power to the clergyman to refuse to read the Burial Service in cases which he reasonably believed would occasion grave scandal. There would no doubt arise more than isolated cases in which the opinion of the clergyman would be challenged, and in which some of the relatives of the deceased would call upon the clergyman to justify the step which he had taken. Clergymen were but men, and they often took an exaggerated and overstrained view with regard to the character of their own parishioners. Could their Lordships conceive anything more undesirable, more likely to occasion scandal, than that when a man was in his grave there should be opened over his body a fresh litigation—not as to whether some definite charge was proved or not, but a general, roving, vague, and undefined inquiry—not as to whether his character was bad but as to whether the clergyman acted under the reasonable belief that scandal would be occasioned to the parishioners by reading the Burial Service over him? Suppose the Court was of opinion that the clergyman was wrong, and that there was no reasonable ground for the conduct which he pursued, was the man to lie there with the stigma that he had been buried without the Burial Service, or was the service to be read over him long after he had been in his grave? There had never yet been a public investigation which could be compared to such an one as this. Again, was it contemplated that if one clergyman sought the reading the Burial Service in this particular case would occasion grave scandal, another clergyman was to be sought who would be less scrupulous? He appealed to their Lordships not to put in the power of the clergy so dangerous an authority, and not to shock the morals of the community by opening such a flood of indignation as would be occasioned by a clause of this kind.

EARL GRANVILLE said, that no doubt there was much to be said on both sides. The noble and learned Lord on the Woolsack had admitted that there was a grievance, and suggested that they should consider whether it should be remedied at another stage of the Bill. But the noble and learned Lord did not give any intimation whether the Government had really taken into consideration how the grievance was to be

remedied, or explain what was the general character of the remedy which they proposed to adopt. He hoped that some noble Lord opposite would give them some intimation upon that point.

THE BISHOP OF LICHFIELD said, that the only Church in this country that had no power to determine who had and who had not belonged to her communion was the Church of England. The difficulty in this case arose chiefly because the Church had not sufficient powers of discipline over her members.

THE BISHOP OF OXFORD put it to their Lordships whether it was really a spectacle which could be regarded by any body of Christian people as desirable that a minister should be compelled at the grave side to say strong Christian words while believing them to be utterly untrue in the particular case to which he was applying them? As the law at present stood, the clergyman at the grave side was compelled to utter words which he and everyone who heard him knew to be a lie. It was nothing more nor less than that. Nor was it right to treat this difficulty as a merely clerical grievance; it was full of danger to the Church. The Nonconformist literature of the last 40 or 50 years showed that no topic had been urged so much against the Church of England as that she buried indiscriminately the greatest saint and the greatest sinner, with a service not intended for the one or for the other.

VISCOUNT CARDWELL said, that the grievance had been admitted by his noble and learned Friend on the Woolsack, and therefore it would be a waste of time to be urging it on their Lordships. The sole question was as to a remedy, and their Lordships ought to have some declaration on that head from Her Majesty's Government before they were called on to go to a division on the clause of the most rev. Prelate.

THE EARL OF HARROWBY approved of the principle of the clause, but feared practical difficulties would present themselves. He hoped that the ability of the noble Duke, strengthened by the legal knowledge of the noble and learned Lord on the Woolsack, would find a remedy that could be carried out.

THE EARL OF BEACONSFIELD thought their Lordships ought to dovote their attention to the clause immediately before them, and not to a question which involved considerations of the very gravest character. The noble Earl opposite (Earl Granville) had imputed to his noble and learned Friend on the Woolsack expressions of a much more precise nature than his noble and learned Friend had used. Certainly he thought it was not the intention of his noble and learned Friend to intimate to the House that the Government were going to deal with the question in the present Bill. Whether they would be able to deal with it at any time and under any circumstances was very doubtful. It involved the whole question of Church discipline; and he was quite certain that, when the principles involved in a system of Church discipline became the subject of discussion in their Lordships' House, noble Lords would be unanimous in at least one opinion—that the matter could not be treated by a casual clause in a Bill of this kind. With regard to the proposal of the most rev. Prelate he was entirely opposed to it. He believed it would, if adopted, lead to great dissensions and heartburnings in the country amongst laymen, and be a blow at the legitimate respect and influence of the clergy.

LORD SELBORNE expressed his regret that the Government were not likely to give any assistance with regard to this part of the question. He believed the effect of the clause, coupled with that already introduced into the Bill, would be that the clergyman would know he could not safely refuse to read the Burial Service except in very gross and extreme cases, which he should be able to justify to a Court if afterwards prosecuted for his refusal. On the other hand, in such cases, the relatives and friends would be much too wise to institute proceedings. If the most rev. Prelate went to a division, he would support the clause.

THE ARCHBISHOP OF YORK said, that Her Majesty's Government seemed to have greatly changed their minds with regard to silent burial. They now objected to it in cases in which to read the Burial Service of the Church was a scandal; but when the Bill was introduced they thought it sufficiently good for Dissenters, who objected to the Church service. The question of the Burial Service of the Church could not be touched without some reference to points of Church discipline. He did

not apprehend that such inconvenience would be caused to the friends of the deceased as the noble and learned Lord on the Woolsack and the noble Duke seemed to anticipate in a case in which the clergyman of the parish might decline to read the Church service, because the clergyman would have to give them timely notice, and they could make other arrangements. If a clergyman should be brought into Court and be proved to have acted unjustly in refusing to read the Burial Service, a penalty might be inflicted on him for the neglect of that duty, and the decision of the Court would re-establish the character that had been assailed. This clause applied to a particular class of cases—namely, to cases where a whole parish had been scandalized. Their Lordships had heard a good deal about the Nonconformists and about the Clergy. The Clergy in the most legitimate way—namely, by a vote, which was unanimous, of the Lower House of Convocation of Canterbury—had asked their Lordships to remedy their grievance on this subject. Would their Lordships send back to the Church this answer—"We are about to modify the law of Christian burial and change it from what it has been for centuries? The only persons to whom we will give no relief, the only persons whom we cannot trust, are the Clergy of the Church of England." This was a matter on which he felt bound to ask their Lordships to divide.

On Question? Their Lordships *divided*:—Contents 89; Not-Contents 146: Majority 57.

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Lindsey, E.
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Macclesfield, E.
Malmesbury, E.
Manvers, E.
Mar and Kellie, E.
Minto, E.
Morley, E.
Morton, E.
Nelson, E.
Northbrook, E.
Onslow, E.
Portarlington, E.
Portsmouth, E.
Powis, E.
Radnor, E.
Redesdale, E.
Romney, E.
Stanhope, E.
Stradbroke, E.
Suffolk and Berkshire, E.
Tankerville, E.
Vane, E. (*M. Londonderry.*)
Waldegrave, E.
Westmorland, E.
Wharncliffe, E.

Wicklow, E.
Wilton, E.

Bangor, V.
Bridport, V.
Clancarty, V. (*E. Clancarty.*)
Hardinge, V.
Hawarden, V. [*Teller.*]
Hutchinson, V. (*E. Donoughmore.*)
Powerscourt, V.
Sidmouth, V.
Templetown, V.

Chichester, L. Bp.
Lichfield, L. Bp.
St. Albans, L. Bp.

Abercromby, L.
Airey, L.
Ashford, L. (*V. Bury.*)
Aveland, L.
Bagot, L.
Blackburn, L.
Bolton, L.
Braybrooke, L.
Brodrick, L. (*V. Midleton.*)
Carlingford, L.
Clanbrassill, L. (*E. Roden.*)
Clermont, L.
Clinton, L.
Cloncurry, L.
Colville of Culross, L.
Cottesloe, L.
de Ros, L.
De Saumarez, L.
Digby, L.
Dinevor, L.
Dorchester, L.
Dunmore, L. (*E. Dunmore.*)
Dunsandle and Clanconal, L.
Eliot, L.
Ellenborough, L.
Elphinstone, L.
Forbes, L.
Gage, L. (*V. Gage.*)
Gormanston, L. (*V. Gormanston.*)
Grey de Radcliffe, L. (*V. Grey de Wilton.*)
Hammond, L.
Hampton, L.
Hanmer, L.
Harlech, L.
Hartismere, L. (*L. Henniker.*)
Heytesbury, L.
Houghton, L.
Inchiquin, L.
Kenlis, L. (*M. Headfort.*)
Lovel and Holland, L. (*E. Egmont.*)
Manners, L.
Moncreiff, L.
Moore, L. (*M. Drogheda.*)
Penrhyn, L.
Raglan, L.
Ramsay, L. (*E. Dalhousie.*)
Rivers, L.
Robartes, L.
Sackville, L.
Saltersford, L. (*E. Courtown.*)
Scarsdale, L.
Sherborne, L.
Silchester, L. (*E. Longford*)
Sinclair, L.
Skelmersdale, L. [*Teller.*]
Sondes, L.
Stanley of Alderley, L.
Stewart of Garlies, L. (*E. Galloway.*)
Strathspey, L. (*E. Seafield.*)
Talbot de Malahide, L.
Templemore, L.
Tredegar, L.
Tyrone, L. (*M. Waterford.*)
Ventry, L.
Vivian, L
Walsingham, L.
Waveney, L.
Winmarleigh, L.
Wynford, L.
Zouche of Haryngworth, L.

Resolved in the *Negative.*

THE DUKE OF RICHMOND AND GORDON proposed the insertion of a new clause after Clause 74 to obviate certain legal difficulties which might arise in cases where persons seized or entitled in fee, in tail, or for life, or having the beneficial interest in any land or manor, wished to give lands for the making of burial grounds. The clause enabled such persons by way of gift to grant and convey in fee-simple any quantity not exceeding one acre for such purpose, without the consent of the person next in remainder where the grantor had a limited interest.

Clause *agreed to.*

THE EARL OF HARROWBY begged to assure their Lordships that he would not have troubled them with the repetition of a discussion upon an Amendment, which he would not say that they had rejected, but that they had not accepted in a former stage of the Bill, which was before them, if he had not received expressions of their regret that they had not been able to attend on a former occasion, and were very desirous of having an opportunity of recording their opinions. For himself, he could only say that reflection had only confirmed him in the conviction that it was desirable, in the interest of the Church itself, to close this controversy as soon as possible, and that in the manner which he had ventured to suggest. He did not rest, and he never had rested, this opinion on the admission of a right on the part of Nonconformists to burial within the precincts of the parish churchyard, with other rites than those of the Church of England. He could never see the trace of such a right in law or history. To interment they, in common with others in the like predicament, had a right, but with no other rites than those of the National Church. He rested his plea, in the first place, upon the desirableness of welcoming to our parochial burying-ground the remains of our Nonconforming brethren with the religious rites, which would have been most agreeable to their own feelings when living, unless it could be proved that such licence would be dangerous to the religious character of the place; and in this, he believed, a great number of those who objected to the proposed change would concur. But they imagined to themselves dangers of disorder and irreligion, which he could not but conceive arose from not having read the proposed clause, which made greater provision for the character of the proceedings at the grave than any which now existed; provisions which he had borrowed, with the permission of the noble Lord opposite, from his proposed Amendment. If any stronger could be found, he was ready to adopt them; but he was satisfied of their efficiency for their purpose. But, further, he would press upon his Church the expediency of making this concession

at once, and at the present moment. The Church of England was never politically stronger than at present—both Houses of Parliament being strongly devoted to her interests. But it might not be always so. If advantage were not taken of the opportunity now presented, what would be the result? The grievances of the Dissenters were now fully admitted by the proposal of the Government. The remedy had been withdrawn. What must ensue? Agitation continued, and bitter on one side; resistance, equally bitter and exasperated, on the other side; but would any noble Lord have the courage to come forward and say that concession must not be the ultimate result? No longer, however, concession, in character with all its healing influences, but the result of defeat, when concession could no longer be withheld. He recollected an expression of the late Dr. Chalmers, in regard to the abolition of the Corn Laws. After enumerating the economical effect of abolition, he said that he expected something from it still more valuable—that it would sweeten the breath of civil society—and so it had. Grant this concession for the feelings of Nonconformists, and he (the Earl of Harrowby) was satisfied that it would sweeten the breath of ecclesiastical society and breathe peace, when it ought never to be disturbed. He would now move the Amendment of which he had given Notice

Moved, to insert, after Clause 75, the following clause:—

"When the relative or friend, having charge of the funeral of a person dying in any parish, or having had a right of interment in any parish, shall signify in writing to the incumbent of such parish, or to the curate in charge of the same, that it is his desire that the burial of the said person shall take place without the burial service of the Church of England, the said relative or person shall thereupon be at liberty to inter the deceased with such Christian and orderly religious services at the grave as he may think fit, or without any religious service; provided, that all regulations as to the position and making of the grave which would be in force in the case of a person interred with the service of the Church of England shall be in force as to such interment: Provided further, that notice of the time when it is the wish of the relatives or other persons as aforesaid to conduct the said interment shall be given to the incumbent or curate in charge at latest some time the day before: Provided further, that the said interment shall not take place at the time of or within half an hour before or after any service in the church, or of any funeral already appointed in the churchyard:

"If any person shall in any churchyard use any observance or ceremony or deliver any address not permitted by this Act or otherwise by any lawful authority, or be guilty of any disorderly conduct, or conduct calculated to provoke a breach of the peace, or shall under colour of any religious observance or otherwise in any churchyard wilfully endeavour to bring into contempt or obloquy the Christian religion, or the belief or worship of any church or denomination of Christians, or the ministers or any minister of any such church or denomination, he shall be guilty of a misdemeanor.—(*The Earl of Harrowby.*)

THE DUKE OF RICHMOND AND GORDON said, he had no objection to make to the course which the noble Earl had adopted;—he thought that, from what had taken place on a former occasion, the noble Earl was fully justified in asking their Lordships to give their opinion again on this question. He did not think it necessary to repeat the arguments which he had used before, further than to say that the grievance was a very small one, and only applied to a very limited section of the community, and that it was constantly diminishing. He desired, however, to point out that if this Amendment was carried the Church of England would be the only body in the country which could not set apart a portion of ground for exclusive interment of persons of their communion. Were the Nonconformists the only body of men who were to have liberty of conscience? Was the Church of England not entitled to the same freedom of conscience? The proposal of the noble Earl entirely ignored the conscience of the Church of England, and the religious equality which ought to prevail as regarded that body. The Amendment of the noble Earl, taken by itself, could not possibly work. In the first place, since the abolition of the church rates, the Nonconformists, not having equal rights in the churchyards so far as the burial of their dead was concerned, had not been called upon to contribute to the maintenance and upholding of the churchyards; yet the noble Earl proposed to give them an equal right with the members of the Church of England for the interment of the dead in the churchyards. One of the defects in the proposed clause was that no provision was made in the event of a Nonconformist minister refusing to read the burial service over one of his congrega-

tion. Was it proposed that in such case the clergyman attached to the church should be compelled to perform the Church Service? These were difficulties which the noble Earl should have provided against, if he wished his clause to pass.

EARL GRANVILLE reminded the noble Duke that the maintenance of the churchyards by Dissenters was entirely voluntary. If, however, the clause were adopted, and if the noble Duke proposed an additional rate for the imposition of a common rate upon all for the maintenance of the churchyard, such a clause should have his support. With regard to the other objection of the noble Duke, it should be remembered that a clergyman was now under an obligation to bury a Dissenter if called upon by his relatives to do so.

EARL NELSON observed that the opinion of the Clergy on the subject of the clause had been taken, and it appeared that no fewer than 11,500 had signed a declaration against it. There was, it was true, a proviso at the end of the clause to prevent scandals; but as there was no prosecutor, he feared the proviso would have very little effect. For his part, he believed that if the Bill passed the landed proprietors of England, being enabled to do so, would by making grants of land remove whatever grievance now existed.

THE MARQUESS OF BRISTOL was understood to support the clause.

LORD DINEVOR, in supporting the clause, said, he had received a letter from a clergyman of the Church, in which he said that but for Dissenters Wales would be a heathen country. He had himself had much intercourse with the Nonconformists of Wales, and had learned to regard them as brethren; and he held that they had a just right to have a funeral service performed by their own ministers over their relatives and friends in the parish churchyards. He hoped their Lordships would agree to the clause.

On Question? Their Lordships *divided*:—Contents 127; Not-Contents 111: Majority 16.

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Bedford, D.
Cleveland, D.
Devonshire, D.
Grafton, D.
Saint Albans, D.
Somerset, D.
Westminster, D.

Ailesbury, M.
Lansdowne, M.
Northampton, M.
Ripon, M.

Abingdon, E.
Airlie, E.
Camperdown, E.
Cathcart, E.
Chichester, E.
Clarendon, E.
Cowper, E.
Dartrey, E.
Ducie, E.
Durham, E.
Effingham, E.
Essex, E.
Granville, E.
Harrowby, E.
Ilchester, E.
Jersey, E.
Kimberley, E.
Lichfield, E.
Lucan, E.
Minto, E.
Morley, E.
Northbrook, E.
Portsmouth, E.
Selkirk, E.
Shaftesbury, E.
Stradbroke, E.
Strafford, E.
Suffolk and Berkshire, E.
Sydney, E.
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Bangor, V.
Cardwell, V.
Eversley, V.
Falmouth, V.
Halifax, V.
Leinster, V. (*D. Leinster.*)
Lifford, V.
Powerscourt, V.

Exeter, L. Bp.
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St. Asaph, L. Bp.

Abercromby, L.
Aberdare, L.
Balfour of Burley, L.
Barrogill, L (*E. Caithness.*)
Bateman, L.
Beaumont, L.
Blackburn, L.
Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Breadalbane, L. (*E. Breadalbane.*)
Brodrick, L. (*V. Midleton.*)
Brougham and Vaux, L.
Calthorpe, L.
Cassoys, L.
Carlingford, L.
Carrington, L.
Castlemaine, L.
Churchill, L.
Clermont, L.
Clifford of Chudleigh, L.
Clonbrock, L.
Coleridge, L.
Congleton, L.
Cottesloe, L.
Crewe, L.
Crofton, L.
Delamere, L.
D'L'Isle and Dudley, L.
De Mauley, L.
Dinevor, L.
Dorchester, L.
Dormer, L.
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Emly, L.
Fitzhardinge, L.
Grinstead, L. (*E. Enniskillen.*)
Gwydir, L.
Hammond, L.
Hanmer, L.
Hare, L. (*E. Listowel.*)
Hatherley, L.
Houghton, L.
Kenmare, L. (*E. Kenmare.*)
Kenry, L. (*E. Dunraven and Mount-Earl.*)
Lawrence, L.
Leigh, L.
Lyttelton, L.
Lyveden, L.
Moncreiff, L.
Monson, L. [*Teller.*]
Mont Eagle, L. (*M. Sligo.*)
Mostyn, L.
O'Hagan, L.
Oxenfoord, L. (*E. Stair.*)
Penzance, L.
Ribblesdale, L.
Robartes, L.
Romilly, L.
Rosebery, L. (*E. Rosebery.*)
Sandhurst, L.
Seaton, L.
Selborne, L.
Sherborne, L.
Somerton, L. (*E. Normanton.*)
Stafford, L.
Strafford, L. (*V. Enfield.*)
Strathspey, L. (*E. Seafield.*)
Suffield, L.
Talbot de Malahide, L.
Vaux of Harrowden, L.
Ventry, L.
Vernon, L.
Waveney, L.
Wolverton, L.
Wrottesley, L.

The Duke of Richmond and Gordon

NOT-CONTENTS.

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Manchester, D.	Braybrooke, L.
Marlborough, D.	Clanbrassill, L. (*E. Roden.*)
Northumberland, D.	
Richmond, D.	Clinton, L.
	Cloncurry, L.
Abergavenny, M.	Colchester, L.
Bath, M.	Colville of Culross, L.
Bristol M.	de Ros, L.
Hertford, M.	De Saumarez, L.
Salisbury, M.	Dunmore, L. (*E. Dunmore.*)
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Beaconsfield, E.	
Beauchamp, E.	Ellenborough, L.
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Feversham, E.	Harlech, L.
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Haddington, E.	Hawke, L.
Hardwicke, E.	Heytesbury, L.
Harewood, E.	Howard de Walden, L.
Harrington, E.	Kenlis, L. (*M. Headfort.*)
Lanesborough, E.	
Lindsey, E.	Ker, L. (*M. Lothian.*)
Manvers, E.	Lovel and Holland, L. (*E. Egmont.*)
Mar and Kellie, E	
Morton, E.	Manners, L.
Nelson, E.	Moore, L. (*M. Drogheda.*)
Onslow, E.	
Portarlington, E.	O'Neill, L.
Powis, E.	Oriel, L. (*V. Massereene.*)
Redesdale, E.	
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Tankerville, E.	Penrhyn, L.
Vane, E. (*M. Londonderry.*)	Raglan, L.
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Waldegrave, E.	
Wicklow, E.	Sackville, L.
Bridport, V.	Saltersford, L. (*E. Courtown.*)
Clancarty, V. (*E. Clancarty.*)	
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Hawarden, V. [*Teller.*]	Sinclair, L.
Hutchinson, V. (*E. Donoughmore.*)	Skelmersdale, L. [*Teller.*]
	Stanley of Alderley, L.
Sidmouth, V.	Stewart of Garlies, L. (*E. Galloway.*)
Strathallan, V.	
Templetown, V.	Tredegar, L.
Bangor, L. Bp.	Tyrone, L. (*M. Waterford.*)
Carlisle, L. Bp.	
Chichester, L. Bp.	Walsingham, L.
Ely, L. Bp.	Willoughby de Broke, L.
Hereford, L. Bp.	
Lichfield, L. Bp.	Winmarleigh, L.
Llandaff, L. Bp.	Wynford, L.
St. Albans, L. Bp.	Zouche of Haryngworth, L.
Airey, L.	

Amendment *agreed to.*

THE DUKE OF RICHMOND AND GORDON: After the division which has now been taken upon the clause moved by the noble Earl, I shall ask your Lordships to adjourn the further consideration of this Bill until this day week, in order that I may consult my Colleagues as to the course we shall take.

Further consideration of the Report *put off* to *Monday* next.

House adjourned at half past Seven o'clock, 'till To-morrow, Eleven o'clock.

HOUSE OF COMMONS,

Monday, 18th June, 1877.

MINUTES.]—SUPPLY—*considered in Committee*—NAVY ESTIMATES.

PUBLIC BILLS — *First Reading* — Provisional Orders (Ireland) Confirmation (Artizans and Labourers Dwellings) * [201]; Provisional Orders (Ireland) Confirmation (Ennis, &c.) * [202].

Second Reading—Marriages Legalisation, Saint Peter's, Almondsbury * [197].

Committee — Legal Practitioners * [43]—R.P.; Solicitors Examination, &c. * [190]—R.P.

Third Reading—Universities of Oxford and Cambridge [183], and *passed.*

Withdrawn—Medical Act (1858) Amendment (No. 2) [172].

QUESTIONS.

PARLIAMENT—ORDER—SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.—QUESTION.

OBSERVATIONS.

THE O'DONOGHUE said, he wished to ask a Question upon a point of Order in relation to a Question on the Paper that day in the name of the hon. Member for Londonderry (Mr. R. Smyth). He wished to know, If that Question did not violate the Rule of the House that no Question should contain any debatable matter? The Rule was enforced so that hon. Members might not, under the cover of Questions, make statements which would appear to command general assent owing to the silence which at Question time was imposed by the Rules of the House. If their debates were not

reported, this would not be of any consequence; but as they were reported, and the public generally were not acquainted with their Rules, a very erroneous impression might be produced and injurious consequences might follow from statements in regard to which there was a difference of opinion out-of-doors being received without any articulate dissent. The question raised by his hon. Friend did not appear to him to command anything approaching general acquiescence in Ireland, and he begged to ask, whether upon the Rule of the House, to which he had referred, it would be allowable for the hon. Member to put it?

MR. SPEAKER: In answer to the Question of the hon. Member, I have to observe that the Notice standing on the Paper in the name of the hon. Member for Londonderry (Mr. R. Smyth) is in these terms—"To ask Mr. Chancellor of the Exchequer, Whether he will, on an early day, afford an opportunity for the moving of a Resolution?" That seems to me a perfectly simple Question.

THE O'DONOGHUE remarked that the Question did not stop there.

Afterwards,

MR. RICHARD SMYTH asked Mr. Chancellor of the Exchequer, Whether he will, on an early day, afford an opportunity for the moving of the following Resolution:—

"That, having regard to the action taken by Her Majesty's Government, and to the decision of the Select Committee on the Sale of Intoxicating Liquors on Sunday (Ireland) Bill, in the present Session of Parliament, this House is of opinion that it will be highly detrimental to the public interest should Her Majesty's Government allow the question involved to remain unsettled for another year?"

THE CHANCELLOR OF THE EXCHEQUER: It appears to me, Sir, that the discussion of such a Resolution as the hon. Gentleman proposes would involve a considerable consumption of time, and would after all not lead to any practical result. I am therefore afraid I cannot offer to give any assistance by setting apart a day for the discussion of such a Resolution. But, on the other hand, I may say this—the Government are ready to co-operate as far as they can properly do so in enabling the House to discuss this measure. As I suggested the other day, I think the convenient course would be, if an arrangement could be made with other hon. Members who have Notices upon the Paper, by which Wednesday, the 27th instant, could be taken for that discussion; the Government would be quite prepared, in that case, if the hon. Gentleman puts down his Bill for that day, to move that the Orders of the Day be postponed in its favour. If the discussion were held in that way, and it appeared that the one day was not sufficient, Government would be prepared to give another day—a Morning Sitting—for the purpose.

MR. RICHARD SMYTH thanked the right hon. Gentleman for his suggestion, and would do everything in his power to ensure its being carried out.

COOLIE IMMIGRATION TO QUEENSLAND.—QUESTION.

MR. E. JENKINS asked the Under Secretary of State for the Colonies, Whether there exists in Queensland any systematic registration of the number and names of the Pacific Islanders, or Coolies, who are imported for servile labour in that Colony; whether any registration is maintained of the births and deaths which take place among them; and, whether, if such registration does not exist, Her Majesty's Government are taking any steps to establish it?

MR. J. LOWTHER: Sir, I find that under the regulations in force in Queensland in accordance with the Act of 1868, that all imported Coolies arriving at Brisbane are registered at the Immigration Office at that port, and in the case of arrivals at other ports in the Colony the registration is effected at the Custom House, and a copy of the register forwarded to the Immigration Office at Brisbane by the next mail. As regards births and deaths, no special provision is made respecting births, the registration of which is conducted in a similar manner to that adopted in the case of the population generally. With respect to deaths, however, an immediate report must be made to the nearest bench of magistrates and also to the Immigration agent. The reason why no special provision is in force with reference to births is that, as the hon. Gentleman is no doubt aware, the Polynesians do not immigrate in families.

INDIA—COMMERCIAL TREATY WITH PORTUGAL.—QUESTION.

MR. GRANT DUFF asked the Under Secretary of State for India, Whether a Treaty is in course of negotiation between the Governments of India and Portugal under which the concession to a private company of power to make a Railway in British India under the guarantee of the Portuguese Government is provided for; if so, what securities are to be taken for economical and efficient construction and management; and, whether before a final decision is come to, the draft of any such Treaty and a copy of the Concession will be laid before Parliament?

LORD GEORGE HAMILTON: Sir, articles *ad referendum* for a Commercial Treaty between the Governments of India and Portugal are now under discussion in India between delegates of the two Governments. When agreed upon between the delegates, they will be referred home for consideration by the Home Governments, and any Treaty based upon them will be negotiated here, or at Lisbon, and submitted to Parliament. The Portuguese Government is anxious to place its port of Murmagom in connection with the British Indian Trunk Line of Railway, at or near Bellary, by a line to be constructed by a private company. The Indian Government is willing to grant facilities for the construction of that part of the line which passes through British territory, but will have no responsibility in the matter. I am not aware whether any guarantee is proposed to be given to the company by the Portuguese Government.

PRESTON COUNTY COURT.
QUESTION.

MR. HERMON asked the First Commissioner of Works, Whether the arrangements contemplated by the First Commissioner of Works, as stated to the House of Commons on the 17th June 1875, for providing adequate accommodation in the County Court Office at Preston, and for obviating the great inconvenience arising to suitors and others in consequence of the Offices and Court being nearly a mile distant from each other, are likely to be now carried out; and, what steps are proposed to be taken in consequence of the lease of the present offices having expired?

MR. GERARD NOEL: The Board of Works tenancy of the present offices of the County Court of Preston, Sir, will not expire until the 1st of May next, and measures are being taken with a view to offices being provided from that date in closer proximity to the building in which the sittings of the Court are held.

SOUTH AFRICA—DELAGOA BAY.
QUESTION.

MR. A. M'ARTHUR asked the Under Secretary of State for the Colonies, Whether, before the South African Confederation Bill is brought on for Second Reading in this House, he will lay upon the Table any Correspondence which has passed between the Colonial or Foreign Office and the Portuguese Government, or the Governor of the Cape Colony, with reference to Delagoa Bay?

MR. J. LOWTHER: Sir, there has been no correspondence between the British and Portuguese Governments which it would be of advantage to publish subsequent to that presented in 1875 with reference to Delagoa Bay. A few informal communications have, however, passed between the respective Governments, from which there is every reason to believe that the Government of Portugal will continue to be desirous to co-operate in a friendly manner as heretofore with ourselves in securing the welfare and advancement of the adjacent districts of South Africa.

POLYNESIAN LABOURERS — NEW CALEDONIA.—QUESTION.

MR. ERRINGTON asked the Under Secretary of State for Foreign Affairs, Whether any reports have been received from Mr. Layard, British Consul in New Caledonia, as to irregularities in the importation or treatment of Polynesian labourers in that French Colony; and, if so, whether there would be any objection to lay these reports, or abstracts of them, upon the Table of the House?

MR. BOURKE, in reply, said, that two Reports had been received at the Foreign Office on the subject from Mr. Layard, the British Consul. He had read the Reports, and they did not appear to bear out the allegation as to irregularities and ill-treatment which

had been made. It was not worth while to print the Reports; but if the hon. Member would call at the Foreign Office he might see them.

METROPOLIS—RICHMOND PARK.

QUESTION.

SIR GEORGE CAMPBELL asked the First Commissioner of Works, Whether, now that Richmond is brought within the direct service of the Metropolitan Railways, he will consider the expediency of abolishing the rabbits, which make the Park utterly unsafe for riders, and of opening some footpaths through the copses, like those in the Bois de Boulogne?

MR. GERARD NOEL: Sir, I should be extremely sorry to see the rabbits in Richmond Park abolished. I think they afford much amusement and enjoyment to the public who go for what is called an "outing" to the Park, and who have not the same opportunity as the hon. Member for Kirkcaldy has for seeing game. I cannot agree with the hon. Gentleman that the Park is unsafe to ride in. Great care is taken by the keepers to ferret out the rabbits and stop up the holes in the open spaces, so that there may be no danger to persons on horseback. With regard to opening footpaths in the copses, I fear that would be impossible. They are planted to beautify the Park and to replace trees which in the course of time perish. If paths were cut through the plantations great expense would be incurred from the amount of fencing which would be required to keep out the deer, and after the lessons on economy I have this year experienced from hon. Gentlemen opposite I hardly like to embark in fresh expenditure on the Parks.

ARMY (INDIA)—SHORT SERVICE.

QUESTION.

SIR HENRY HAVELOCK asked the Secretary of State for War, Whether any arrangement has yet been arrived at with the India Office by which the system of short service, necessary for forming a reserve, has been made compatible with the demands of Indian military service; and, if so, whether he will lay the papers on this subject upon the Table of the House before the Army Estimates are taken?

MR. GATHORNE HARDY, in reply, said, that last year he had made a proposition to the authorities of the India Office with a view of bringing the short-service system into harmonious action with the requirements of the Indian Military Service. The proposition had been submitted to the authorities in India, and they had subsequently made another proposition on that subject. This would, he believed, in no long time lead to a solution of the question.

METROPOLIS—HYDE PARK.

QUESTION.

SIR H. DRUMMOND WOLFF asked the First Commissioner of Works, Whether he intends to place gravel for equestrians on the road from Hyde Park Corner to the Marble Arch?

MR. GERARD NOEL: Sir, the answer to my hon. Friend the Member for Christchurch is a very simple one. I stopped the gravel being put down between the Marble Arch and Hyde Park Corner because I had received numerous and earnest complaints from ladies who do not ride, but walk between the Marble Arch and Rotten Row, that they had been bespattered with dirt from head to foot by persons galloping backwards and forwards. Sir, this is hardly fair. The persons who walk in the Park must be considered as well as those who ride. The equestrians are well provided for, for they have the whole of Rotten Row, also the ride opposite the Knightsbridge Barracks, and from the Magazine along the north side of the Park, where they can gallop as much as they please. I hope, therefore, now my hon. Friends have my reasons for not putting down the gravel, they will cheerfully submit to ride at a reduced pace and allow the ladies to enjoy their shady walk without suffering inconvenience from the dirty gravel being splashed over their dresses. As I have been asked why the gravel was put down as far as Stanhope Gate and not continued to the Marble Arch, I may perhaps be permitted to say that this was done without my knowledge, and, once put down, I thought it hardly worth the expense of removing it; but it has not been renewed. I have only one object in view, and that is to make the Parks as agreeable and enjoyable as possible to everyone.

ARMY (AUXILIARY FORCES)—ADJUTANTS OF MILITIA AND VOLUNTEERS.—QUESTION.

SIR HENRY HAVELOCK asked the Secretary of State for War, Why Brevet Majors are deprived of their brevet pay of two shillings a-day while serving as Adjutants of Militia and Volunteers, that brevet rank and pay being granted either for long service or for service in the field?

MR. GATHORNE HARDY, in reply, said, the pay in question had doubtless been taken away, but since then, he had had time to re-consider the matter, and he had recently decided that Adjutants of the class described, who had been appointed since February 2, 1871, should receive the pay, dating from April 1 this year.

PERU—ACTION WITH THE "HUASCAR."—QUESTION.

SIR JOHN HAY asked the First Lord of the Admiralty, Whether the Admiralty has received any information as to the reported attack by Her Majesty's Ships "Shah" and "Amethyst" on the Rebel Peruvian Ironclad "Huascar;" and, whether, in consequence of this occurrence, it is the intention to revert to the practice of stationing an ironclad ship in the Pacific?

MR. HUNT, in reply, said, the only information he had received on the subject was that which had been sent to the newspapers over a fortnight ago. That information had been received by telegraph, and was, therefore, very brief. It was to the effect that the rebel Peruvian ship *Huascar* had been successfully engaged by the *Shah* and the *Amethyst*, and, after being totally disabled, had fallen into the hands of the Peruvian Government ships. There was no British casualty. He hoped to receive further information before long, which he would at once communicate. It was not at present the intention of the Government to send an iron-clad ship to the Pacific.

TURKEY—MR. LAYARD.—QUESTION.

MR. RYLANDS asked the Under Secretary of State for Foreign Affairs, Whether his attention has been directed to a letter published in the "Times" of June 15, and alleged to be written by a person of rank in the Turkish capital, dated "Constantinople, May 29, 1877," in which, after detailing the representations made to the Sultan by his brother Nourredeen Effendi, as to the negligence of the Sultan's ministers in conducting the war, the writer asserts that

> "the next day your Ambassador, Mr. Layard, went to the Sultan and spoke much in the same sense, mentioning, too, the fleet remaining at anchor, and Hobart Pasha being here. His Majesty appeared astonished at learning that the Admiral was still here, and said he thought he was gone long since. He immediately called his Aide-de-Camp, Mehemet Pasha, and sent him with orders that the Admiral should take the fleet at once to sea:"

and, whether there is any foundation for this statement as to the course pursued by Her Majesty's Ambassador at Constantinople?

MR. BOURKE: Mr. Speaker, we have received no information upon this subject.

MR. RYLANDS subsequently asked whether the Government would take means to ascertain whether there was any foundation for the statement referred to?

MR. BOURKE said, if the hon. Member would give Notice of his Question he would answer it.

ARMY (AUXILIARY FORCES)—ADJUTANTS OF ENGINEER VOLUNTEERS.—QUESTION.

MR. PALMER asked the Secretary of State for War, If he would explain to the House why the Adjutants of Engineer Volunteer Corps are not placed in the same position as regards pay as the Adjutants of Rifle Corps, and why the allowance for forage is altered under the Army and Reserve Forces Circular of 1877; and, why they are debarred from the privilege of recruiting?

MR. GATHORNE HARDY: Sir, the course pursued in Engineer Volunteer Corps is the same as that pursued in the Volunteer Force generally—namely, to fill the post of adjutant as vacancies occur from captains on full pay of the Regular Army. The pay and allowances of adjutants of Volunteers have been assimilated to those of captains in the Army; but, owing to the fact that the present adjutants of Engineer Volunteers are either late officers of Infantry of the Line or non-commissioned officers of Royal Engineers, they are precluded

from receiving either the rank or pay of captains in the Royal Engineers. It is, however, proposed to offer such of them as are eligible adjutancies of Infantry Volunteers, when they will draw the increased rates of pay. As to forage, an adjutant of Volunteers is a mounted officer, and until July, 1876, he was granted 2*s.* a-day to cover forage, &c. Some did not keep horses, and therefore the amount was all gain. Adjutants who keep horses now get 2*s.* 4*d.* a-day (a gain of 4*d.*), and those who do not are allowed horse hire not exceeding 1*s.* 10*d.* a-day. With regard to recruiting, when recruiting duties were first imposed on adjutants of Militia, some of the old adjutants, who were not receiving an increased rate of pay, complained of the additional duty thus thrust on them; accordingly, when it was decided that the pay of adjutants of Engineer Volunteers was to remain at the old rates, it was considered desirable to exempt them from any additional duty in the way of recruiting, in order to remove any possible complaints on that ground.

H.M. STATIONERY OFFICE—APPOINTMENT OF CONTROLLER—QUESTION.

MR. J. HOLMS asked the Secretary to the Treasury, Whether, in making the recent appointment to fill the office of Controller of the Stationery Department, Her Majesty's Government had in view the recommendation made by the Select Committee of this House in 1874, to the effect that

> "This officer should be charged with the duty, subject to the control of the Treasury, of making all the necessary contracts and arrangements for the supply of the stationery and printing required by Parliament and the public Departments, and with the management of the London, Edinburgh, and Dublin Gazettes" and, further, that "when a vacancy occurred in this office, provision should be made for uniting the control of the Stationery Office and the management of the Gazettes under one officer possessing the requisite technical knowledge of stationery and printing;"

and, whether he can inform the House if there was no officer in the Stationery Department capable of fulfilling the duties of Controller, what efforts were made by the Government to obtain a practical man of business possessing technical knowledge of stationery and printing, and if the Government can give an assurance that Mr. T. D. Pigott, who, it is said, has received the appointment, does possess such technical knowledge of stationery and printing, and is a practical man of business?

MR. W. H. SMITH, in reply, said, that before the recent appointment to the office of Controller of Stationery was made a careful consideration was given to the recommendations of the Select Committee of 1874, and the Prime Minister came to the conclusion that it was not desirable to add to the office of Superintendent of the "Gazettes" that of Controller of the Stationery Department. It might be desirable to add the office of Superintendent of "Gazettes" to that of Controller of Stationery, but not the larger office to the smaller. The gentleman selected for the post had done good service to the State in the War Department, and had proved himself to be a most able and practical man of business. Although he did not possess a technical knowledge of stationery and printing, the Treasury had perfect confidence that he would discharge the duties of the post with efficiency. In making this appointment there was no reflection cast on the officers of the Stationery Department, more than one of whom were very able. It ought to be added that Mr. Pigott would hold the office on the understanding that when the post of Superintendent of "Gazettes" became vacant, he might be called upon to undertake its duties without additional salary.

MR. J. HOLMS gave Notice that on the earliest opportunity he would draw the attention of the House to this subject and move a Resolution.

ARMY PROMOTION AND RETIREMENT —ROYAL WARRANT.—QUESTION.

MAJOR O'GORMAN asked the Secretary of State for War, Whether the Royal Warrant on Army Promotion and Retirement will be issued before the Parliamentary Session of 1877 concludes?

MR. GATHORNE HARDY, in reply, said, he must repeat what he had said on a former occasion—that every means had been taken to urge the parties concerned in it to get through their business as soon as possible, for his sincere desire was, having in view the interests of the officers, to bring the Government scheme on the subject before the House without any unnecessary delay.

ARMY (AUXILIARY FORCES)—RIFLE RANGE—MILTON-NEXT-GRAVESEND.

QUESTION.

CAPTAIN PIM asked the Secretary of State for War, If he would explain the cause of closing the rifle range at Denton, Milton next Gravesend, which occasions great inconvenience to the local volunteers and loss to the borough; and whether he can hold out any hope that the range will shortly be re-opened for practice?

MR. GATHORNE HARDY, in reply, said, the reason why the range in question had been closed was that the owners and occupiers of land in the locality found that the bullets occasionally fell in their fields, to the danger of themselves and their families. Under the circumstances, there was no option left but to close the range, and it would not be opened until some arrangement was made with the local occupiers. That would be effected as soon as possible.

NAVY—H.M.S. "THETIS."—QUESTION.

CAPTAIN PIM asked the First Lord of the Admiralty, Whether he has any and, if so, what objection to lay upon the Table of the House a Copy of the Log of H.M.S. "Thetis" from the period of her leaving the Suez Canal up to the time of her arrival at Malta, and Copy of any Report of the Officer in command explaining how it was that, notwithstanding the breakdown of her machinery, he was unable to navigate his vessel under her sails into Malta harbour?

MR. HUNT, in reply, said, he had no objection to lay the document in question upon the Table of the House, if the hon. and gallant Gentleman would move for it. It was not, he might add, a fact that the officer in command was unable to navigate the ship under sail into Malta. She was under sail, and would, no doubt, in the ordinary course have reached Malta had she not been picked up by the *Devastation*, which had been sent out to meet her.

CATTLE TRAFFIC (IRELAND).

QUESTION.

MR. PEEL asked the Vice President of the Council, Whether his attention has been directed to the transit of cattle from Ireland to the ports of this Country, and to alleged cruelties and ill-usage practised on such cattle on board the vessels; and, whether, if he has no special information on the subject, he will direct the inspectors to make inquiries and to report on the condition of the trade in regard to the feeding, watering, and general treatment of the animals so carried?

VISCOUNT SANDON, in reply, said, the attention of the Veterinary department had been called to the alleged cruelties, and they had received orders to make inquiries and to report from time to time as regarded the general treatment of the animals. Several prosecutions had been instituted against shipping companies for neglecting to comply with the provisions of the Order in Council which regulated this trade. The department would take every possible care in future that the provisions of the Order were strictly carried out, so that all needless suffering might be avoided.

CRIMINAL LAW—PRISON LABOUR—PRISONERS.—QUESTION.

SIR GEORGE JENKINSON asked the Secretary of State for the Home Department, with reference to a statement made by Mr. George Potter at a Deputation to Mr. Secretary Cross, on Tuesday 15th May, from Chatham and Rochester Trades' Council (as reported in the "Times" of 16th May, and repeated in a leading article of the "Times" of 17th May):—

"That, in the United Kingdom, we had nearly a million of prisoners, who are set to work to manufacture articles, the sale of which entered into competition with honest labour:"

What foundation is there in fact for the above statement; and, if correct, where are these million prisoners confined and at work; whether it is not the fact that the total number of prisoners in the United Kingdom, including convicts, scarcely exceeds 35,000 instead of a million:—thus: Gaols (English), 18,487; Convict Prisons, 9,857; Gaols (Irish), 2,790; Prisons (Irish), 1,151; Total Scotch, 2,966; Total United Kingdom, 35,251; and, whether he will grant a Return, showing in detail and in totals all the prisoners of all kinds confined in all gaols and prisons in the United Kingdom, and employed at labour?

MR. ASSHETON CROSS, in reply, said, the statement in question was untrue, for the fact was that the number of prisoners, including convicts in the United Kingdom, scarcely exceeded 35,000. He did not think it necessary to grant any Returns of the number of prisons employed in the prisons of the country in manufacturing articles which competed with honest labour. The Prisons Bill, which would deal with the matter, would he hoped be law in a short time, and there was therefore no necessity to comply with the hon. Baronet's request.

SOUTH AFRICAN CONFEDERATION—THE TRANSVAAL REPUBLIC.

QUESTION.

MR. COURTNEY asked the Under Secretary of State for Foreign Affairs, Whether any protest against the annexation of the South African Republic has been received at the Foreign Office; and, if so, whether he will lay it upon the Table of the House?

MR. J. LOWTHER: Sir, if the hon. Gentleman will allow me, I will reply to his Question, instead of my hon. Friend the Under Secretary for Foreign Affairs, as all matters relating to the States of South Africa have been as a matter of general practice referred from the Foreign to the Colonial Office. I mention this, as the practice to which I refer had been in force previous to recent events. I find that two protests have been received at the Foreign Office against this annexation—one from ex-President Burgers, and the other from the late Executive Council of the South African Republic. They are identical with those which appear in the Papers already presented to the House. I ought to add, and the hon. Gentleman will be glad to receive the information, that subsequent information has made it clear that these protests are not in accordance with the general feeling of the population, who appear to have cordially accepted the appointment of Sir Theophilus Shepstone.

In reply to a further Question from MR. COURTNEY,

MR. J. LOWTHER said: I hoped I had made myself clear, but if I failed to do so I must apologize to the hon. Gentleman. What I intended to convey was that the only protests which had been received by Her Majesty's Government at any office, Foreign or Colonial, were the two I named, and Copies of which are upon the Table of the House.

SOUTH AFRICA—NATAL.—QUESTION.

SIR JOSEPH M'KENNA asked the Under Secretary of State for the Colonies, Whether, having reference to the report in the "Times" of Friday the 15th inst. of an interview granted by Lord Carnarvon, Her Majesty's Secretary of State for the Colonies, to a deputation which waited upon him on Thursday, his Lordship's observations are to be taken as indicating any apprehension regarding the present financial position and the general prosperity of the Colony of Natal?

MR. J. LOWTHER: Sir, the remarks of Lord Carnarvon to which reference is made were addressed to a deputation representing a Natal land company, and were applied almost entirely to the question of the occupation of waste lands and to financial considerations arising therefrom, and they must not be taken as indicating the slightest doubt of the financial prosperity of the Colony of Natal. The satisfactory solution of these difficulties would, no doubt, still further advance the existing prosperity of the country; but, so far from considering the present time to be one of depression, nor from anticipating any decrease in the revenue or trade of Natal, there is every reason to believe that the happy settlement of the difficulties in the Transvaal has already given a decided impetus to business, and that a period of increased activity and progress has been entered upon.

NAVY—HOBART PASHA.—QUESTION.

MR. MUNDELLA asked the Secretary to the Admiralty, Whether Hobart Pasha, who is engaged in active warfare against a friendly Power, retains his rank and pay as a British officer?

MR. A. F. EGERTON, in reply, said, no answer had been received from Captain Hobart to the intimation which had been sent him that he must elect between remaining in the Turkish or the British Service. As the time which had since elapsed was sufficiently long to admit of an answer having been re-

ceived to that intimation, and no such answer had reached the Admiralty, Captain Hobart's name had been struck off the list of the British Navy.

MR. MUNDELLA said, that in consequence of the information he had now received, he would not proceed with the Motion on this subject.

PARLIAMENT — PUBLIC BUSINESS — SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) (*re-committed*) BILL.

RE-COMMITMENT.

SIR MICHAEL HICKS-BEACH said, that as Chairman of the Select Committee to which this Bill had been referred, he felt it to be his duty to make a proposal in regard to the further proceedings with respect to it, which had been rendered necessary by the fact that the Select Committee had exceeded their powers in introducing into the Bill two clauses which were held not be covered by the Preamble. In addition to other Amendments in the Bill, they had inserted Clauses 4 and 5, the first of which gave power to the police to supervise refreshment-houses; and the second of which imposed increased penalties for keeping houses open for the sale of intoxicating liquors without a licence. Those provisions seemed to the Committee to be necessary, in order that the Bill, if it were passed into law, might be properly carried into effect. It was, however, obviously difficult to make such alterations as affecting Sunday without extending their operation to the other days of the week, and it appeared to him as Chairman of the Committee that this extension might be made. He had, however, been informed by the highest authority that the Committee had no power to do so, and he wished, therefore, to move formally that the Order for the Consideration of the Bill in Committee of the Whole House on Wednesday next should be discharged, and that it be re-committed to the former Committee upstairs. He was glad to say that the hon. Members for Derry and Dublin, as well as other Irish Members whom he had consulted, were not disposed to offer any objection to the Motion.

Motion *agreed to.*

Order for a Committee of the whole House on the Sale of Intoxicating Liquors on Sunday (Ireland) (*re-committed*) Bill, upon Wednesday next, read, and *discharged.*

Ordered, That the Bill be re-committed to the former Committee, in respect of Clauses 4 and 5 of the said Bill, as amended in Committee.

SIR WILFRID LAWSON said, he could not agree to the proposal made a few days ago by the Chancellor of the Exchequer, that the 27th, the day he (Sir Wilfrid Lawson) had secured for the Permissive Bill, should be handed over to the hon. Member for Londonderry (Mr. Smyth) for his Irish Sunday Closing Bill. Since that proposal was made, the situation had materially changed, the Chief Secretary for Ireland having stated that the Sunday Closing Bill was to go again before a Select Committee. It was impossible for anyone to know when the Bill would come back to the House from the Select Committee, and therefore the situation was totally different from what it was when the Leader of the House spoke on Friday. ["Order, order!"] The House wanted to know the position in which the Bill at present stood, and he thought the best thing to do in the circumstances was to move the Adjournment of the House. It was rather a strong thing, he thought, to be asked, in the circumstances in which the matter stood, to give up his Wednesday. The subject of his Bill, like the Irish Sunday Closing Bill, was one which excited a great deal of interest out-of-doors; and he objected to the arrangement in the interests of a large number of hon. Members who had arranged to come down to support, of a large number who were coming to oppose him, and of hon. Gentlemen from the country who were coming up to hear the eloquence of the hon. and learned Member for Leeds (Mr. Wheelhouse). Besides, an Amendment involving important questions had been moved to his Bill, and if he gave up his Wednesday there would be no chance of that Amendment being brought forward. He did not see, therefore, that he was called upon in the circumstances to act on the suggestion of the right hon. Gentleman. Originally, he offered to give up his day, if the Government would take up the Sunday Closing Bill, and make efforts to pass it into law this year. He still

stuck to his offer, and would make no other. The Chief Secretary for Ireland was in favour of the Bill, and so was the Chairman of Committees, he believed. It was practically a Government Bill, and supported by Ireland. ["No, no!"] Certainly a majority of six to one of the Irish Members supported it. ["No, no!"] The Government had better make a free breast of it, and say that they did support the Bill, and put an end to all these disputes. There never was such a strong case for a Government to support. The interest taken in the question was shown by the fact that the noble Lord the Member for Enniskillen (Viscount Crichton), when he went down to be re-elected, on taking office under the Government, was told that one great reason for his taking a position in the Government was that he should be able to carry the Irish Sunday Closing Bill. ["Oh, oh!"]

MR. SPEAKER suggested that the hon. Baronet was going beyond the limits of discussion on the question before the House in dealing with matters connected with the merits of the Bill.

SIR WILFRID LAWSON, while bowing to the decision of the Chair, observed that he thought he was discussing, not the merits of the Bill, but the merits of the noble Viscount. However, all he wished to say was, that he could not accept the proposal of the Government, and give up his Wednesday. [*Cries* of "Order!"] To put himself in Order, he would move the Adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Sir Wilfrid Lawson.*)

MR. M. BROOKS desired to correct a statement of the hon. Baronet which was calculated to mislead the House—namely, that there was a majority of six to one of the Irish Members in favour of the Sunday Closing Bill. He denied that there was anything like that proportion in favour of the Bill. He also wished to point out that the Bill had been referred to a Select Committee for the purpose of considering the claims of several large towns; but when the Bill got into Committee the exemptions claimed never received any consideration.

THE CHANCELLOR OF THE EXCHEQUER remarked that while the House always listened with pleasure to the observations of the hon. Baronet the Member for Carlisle, the speech which he had just made on the Motion for Adjournment seemed rather an abuse of the Forms of the House. The position in which the matter stood was this. He (the Chancellor of the Exchequer) was asked the other night by the hon. Member for Londonderry (Mr. R. Smyth) whether the Government would afford any facilities for proceeding with the Bill. He then stated that in consequence of the difficulties which the Government experienced in transacting their Business they were unable to make any offer on the subject. But he suggested that if, as he believed, the hon. Gentleman had the support and sympathy of a large proportion of the House, he might find it possible to get a day on which he would be able to make some progress with the Bill. Therefore he suggested at the moment, not seriously, but rather throwing it out as a suggestion to be taken for what it was worth, that perhaps the hon. Baronet the Member for Carlisle might give up his own Wednesday to the hon. Member for Londonderry. Since then the position had so far altered that considerable progress had been made with the Government Business—as in the case of the Universities Bill and the Prisons Bill—the Government consequently finding themselves in a better position than they were before. The Government, therefore, considered what would be a fair and reasonable proposal to make, and the proposal was, that if a day could be found for the discussion of the measure, and the discussion was not finished, they would give another day at a Morning Sitting. They did not think they were called upon, and they were not inclined, to go further. The referring of the Bill back to the Select Committee would not alter the possibility of proceeding with the Bill. All the proceedings of the Select Committee were somewhat beyond the powers which the Committee had had entrusted to them by the House, and it was necessary therefore, if the alterations in the Bill were to be maintained, that the Committee should receive fresh instructions. The arrangement which the Government proposed was one which they thought fair, and they adhered to it in spirit; and, no doubt, if the hon. Member for Londonderry could not make an arrangement

with the hon. Baronet the Member for Carlisle, he would be able to make an arrangement with somebody else.

THE MARQUESS OF HARTINGTON agreed to a certain extent with his hon. Friend the Member for Carlisle (Sir Wilfrid Lawson). He did not altogether understand the position of the Government with respect to the Bill—whether they meant to support it, oppose it, or take up a neutral position; but the action of the Government in the matter would probably be more conveniently discussed when the House came to deal with the Bill itself. He had only risen to appeal to his hon. Friend not at once to press his point, but to give a little more time for consideration. He quite admitted that the hon. Baronet was not subject to any contract whatever to give up his Wednesday, but still he hoped that he would not persist in his Motion and refuse to give way.

MR. RICHARD SMYTH said, he had understood the arrangement to be that if he failed to make a private Member's day effective for the purpose of his Bill the Government undertook to find him a day for that purpose; but a Morning Sitting, for obvious reasons, was not equivalent to a Government day. He trusted that while he should exert himself to get the hon. Baronet to give way, the Government would supplement their statement by saying that they would endeavour to find a Government day for proceeding with the Bill.

MR. O'SULLIVAN protested against the statement of the hon. Baronet the Member for Carlisle that a large majority of the Irish Members were in favour of the Bill, and maintained that three-fourths of the people of Ireland opposed it. He did not see any use in the Government giving a day for the Bill, because he alone had 10 Amendments on the Paper, which would occupy at least a day; and then there were six or seven other Irish Members whose Amendments would take up another day.

Motion, by leave, *withdrawn*.

ORDERS OF THE DAY.

SUPPLY. COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

NAVY—NOMINATION OF CADETS.

RESOLUTION.

MR. SHAW LEFEVRE, in rising to call attention to the results of the changes made in 1875 in the nomination of Cadets to the Naval Service; and to move—

"That, in the opinion of this House, the abolition of limited competition for the appointments of Cadets to the Navy has been injurious to the interests of the Public Service,"

referred to the Motion which he had made in the House on this subject in 1875, which although defeated by the usual Government majority had created a very strong feeling in the country. Every newspaper in the country had denounced the change. His object in taking the step he had, was based upon the fact—which he was ready to prove—that the system of the right hon. Gentleman opposite (Mr. Hunt) was an absolute failure, and the official Reports showed the fact. It was identical with the system in force until the year 1869, when competition had been cautiously introduced. About that time, too, the number of officers was slightly reduced, so that the quality of the juniors was a matter of the highest importance. This limited competition worked very well, and improved the character of the young men who obtained appointments; but, unfortunately, in an evil hour, the right hon. Gentleman opposite had appointed a Committee to inquire into the state of things on board the *Britannia*, where it was said that the cadets were overworked, and that Committee had reported on the whole subject of Naval Education. The Committee was, in his opinion, a weak one, and not properly competent to deal with so important a subject; and he ventured to say that the evidence taken before it in no way supported its conclusions. The Committee had found that limited competition was hurtful to the Service. With respect to the evidence on which this decision was based, he would notice that of the four surgeons on board the *Britannia*, three had pronounced strongly in favour of the *physique* of the boys, whose height and weight was well up to the average. Captain Foley and Dr. Woolley gave it as their opinion that the health of the boys had not been affected by hard work, or by competition. However, the Committee condemned competition, and on the strength of their Report the system of pure nomination was restored, limited only by a

test examination. The result had been that of 48 cadets appointed in July, as many as 30 obtained at the following half-yearly examination less than 30 per cent of the possible total of marks, whereas under the previous system only about 10 per cent acquitted themselves so ill. This was quite unprecedented, and it was recommended that those who had not gained a certain percentage of marks should be made to stay half-a-year longer in the training ship. Unfortunately, that advice was not acted upon, the right hon. Gentleman opposite probably not wishing to admit the total failure of his system. Of the following half-yearly examination Dr. Hirst said—

"The marked inferiority displayed by the cadets who entered the *Britannia* in July, 1875, in all the mathematical subjects is as striking as in December last. It would appear that the attempt to push on those whose case is hopeless has retarded the progress of those whose advancement might otherwise have been satisfactory, and I fear many have proceeded to the more advanced parts of mathematics without ever having been properly grounded in the elementary parts."

Another half-year elapsed, and another examination of those boys who had begun their third term on board the *Britannia* was held, while two of the batches of boys had been nominated. Meantime Mr. Goodwin had temporarily replaced Dr. Hirst, as Director of Studies, and this was his Report, dated January 6, 1877, on the third-term cadets—

"It will be seen from these tables that the cadets of the third term continue to show signs of the same inferiority which was commented upon at the examination of their first and second terms. The averages obtained are low almost beyond precedent, and it is hardly too much to say that a considerable proportion of the cadets of this term are quite unfit to proceed to the study of the fourth-term subjects."

Therefore we had direct comparison of the boys appointed under the new system with those appointed under the old, and we had conclusive testimony that the boys appointed under the new system were by no means comparable with the boys appointed under the old. From a table showing the result of the examinations for two years, it appeared that of 195 cadets appointed under the system of competition, 14 only, or one in 14, obtained less than 40 per cent of the marks; while of 252 appointed under the new system 128, or just one-half, obtained less than 40 per cent of the marks. There could not, however, be a more conclusive condemnation of the new system than what was contained in the Report of the gallant Admiral in charge of Greenwich Hospital itself. In forwarding the Report of the Director of Naval Studies to the Admiralty, Admiral Fanshawe said—

"These results appear to me to call for very serious consideration, particularly as regards the third term, at this examination. Should these cadets pass out of the *Britannia* they will, according to the existing system, enter the College as acting sub-lieutenants about five years afterwards. It appears inconceivable that, even should they get through the *Britannia*, they can have the solid foundation of elementary knowledge that will enable them after five years at sea to come to the College with any reasonable prospect of passing the sub-lieutenant's examination. Though this failure appears more distinctly probable in the case of the class referred to, I would submit that the knowledge acquired by the classes junior to this class, as compared with that obtained by previous cadets, affords no good hope that they will be prepared for the sub-lieutenant's examination. I offer these remarks for their Lordships' consideration, as the matter seems to me of very serious importance in its relation to the future supply of moderately well-educated officers."

He would be glad if hon. Gentlemen would turn back to the debate which occurred two years ago, and compare the results which he had read with the speech of the right hon. Gentleman opposite. That right hon. Gentleman told the House that the cadets under the old system had been injured, not only physically, but mentally, and that they had acquired a superficial habit of study from which they found it difficult afterwards to escape. But it appeared that the cadets under the new system never acquired any habit of study at all. Well, if that were so, it was incumbent on them to inquire what was the cause of this deterioration in the quality of the cadets who entered themselves for naval service; why was it that so very inferior a batch of cadets had been appointed under the nomination as compared with the competitive system? There were two causes for it. In the first place, under the system of competition, it was never worth while for parents to obtain a nomination for a stupid boy, as they knew he would fail in competition with others. On the other hand, they could always hope that a stupid boy might be crammed sufficiently for a mere test examination. On the one side, therefore, there was a natural selection of clever

boys; on the other, a natural selection of stupid boys. That was no new theory of his, for in 1875 he made this prediction—

"Looking to the extent to which competition barred the entry to so many other professions, he feared they might expect that in those families fortunate enough to obtain a nomination for the Navy, the stupid boy of the family would be reserved for the Navy."—[3 *Hansard*, ccxxi. 455.]

The result of two years' experience showed the prediction was justified. The other cause was that under a system of this kind it was totally impossible to maintain a high standard of examination. Lord Macaulay in 1853, in reporting in favour of competition for the Indian Civil Service, clearly explained how a system of competitive examination by an infallible and self-acting process, maintained and even raised the standard of excellence, and how a system of pass examination tended surely and constantly to lower it. Lord Macaulay's argument ran thus—

"Under a system of competition every boy struggles to do his best, and the consequence is that, without any effort on the part of the examiners, the standard keeps itself up. But the moment you say to the examiners, not 'Shall A or B have the nomination?' but 'Here is A, is he fit for the nomination?' the question becomes altogether a different one. The examiner's compassion, his good nature, his unwillingness to blast the prospects of a boy, lead him to strain a point in order to let a candidate in if he possibly can."

He quite admitted that the First Lord had endeavoured somewhat to raise the standard of examination; but the testimony of the Chief Instructor of the *Britannia* itself went to prove that this was a failure. One of the chief objections constantly urged against competition was that it led to cramming. There might be some foundation for that statement. But in spite of that, he (Mr. Shaw Lefevre) insisted that if competition were properly carried on, it must inevitably lead to the selection of the best boy. All that was wanted was to reform the system of examination itself. Those whose duty it was to examine would not have any real difficulty in detecting and deciding between cases of cram and the cases of honest study. But let it not be supposed that they got rid of "cramming" by substituting the nomination for the competition system. He was informed that "cramming" had not only gone on, but was flourishing still more since the introduction of the new system by the right hon. Gentleman. There was another matter to which he wished to allude, and that was the suitability of competition for boys of the age of 13. There was considerable difference of opinion on that subject among many competent persons. It might possibly be desirable to extend the age one year, and not allow boys to compete with those of the *Britannia*, till the age of 14. But they had the experience of the effects of competition on boys of 12 and 13 in the public schools to guide them. At Eton, Winchester, Rugby, Harrow, and other public schools, he thought it would be impossible to obtain the condemnation of that system. He believed it would be found on a comparison of the boys at the public schools that, in almost all cases, the boys who were at the head of the classes, and who obtained scholarships by competition, were slightly superior in physique, both as regarded and weight, to the average boys of the same age. It was a delusion to suppose that boys were injured by hard work only; he believed that a far greater number of boys were injured by indolence and sloth, and even in over addiction to cricket and foot-ball, than were injured by over work. But even leaving all these considerations out of sight, it was sufficient for him to base his case upon the right of the public to, and the desirability of the Naval authorities having, a wider area of choice of boys than was at all possible under a mere system of nomination. Under the system which the right hon. Gentleman opposite had restored, the only entry to the Navy was by either personal or political favour. The public interest required that the area of selection should not be so limited. In his speech delivered two years ago the right hon. Gentleman opposite hardly expressed his own opinion at all, but relied mainly on the Report of the Committee. He would suggest that the right hon. Gentleman should forego the advantage he might gain by dividing against the Motion, and frankly admit that he had been misled by the Committee, and that the present system had been a failure. It was impossible to exaggerate the importance to the Navy of that question. If an iron-clad was lost, they could replace her by a Vote in that House; but if a mistake was made in the ap-

pointment of a Naval officer, it might not show itself for years afterwards. The boys they now admitted would not practically come into responsible positions till some 15 years hence; and if a mistake were now made, its effects might then prove irremediable. It was, therefore, especially in these days, a matter of the most vital importance to the country that the system of entering naval cadets should be one which would secure for our Navy officers of the very best abilities and intelligence. The hon. Gentleman concluded by moving the Resolution of which he had given Notice.

MR. GORST, in seconding the Motion, besides admitting its importance, insisted that it was not a Party question in any sense whatever. The efficiency of the Navy was a matter involving the interests of the country, and that could not be secured, unless we saw that our officers were men not only of courage and character, but of high intellectual ability; and that not merely because the ships they had to manage and the system of modern warfare required them to possess more scientific knowledge than were formerly demanded, but also because officers who had scientific men under them could not command proper respect from those whose inferiors they were in intellectual ability and attainments. Moreover, he contended that our Naval Service was so popular that it could easily secure the pick of the intellect of the country to officer it. He agreed with what had been said that the area of selection ought not to be limited, as was the tendency where nomination was substituted for competition. He did not blame the First Lord of the Admiralty for his administration of patronage; but the area of selection ought not to be confined to those who happened to be the personal or political Friends of the Minister, and they could not without an examination judge of the intellectual qualification of boys of 12 or 14. Again, that patronage was not administered under any check of public criticism. The only fault in the Resolution of the hon. Gentleman opposite (Mr. Shaw Lefevre) was that it proposed to revert to the system of "limited" competition, a system often used to perpetrate very gross jobs. In his opinion, the right course to pursue was to resort to open competition, because he thought that a system of limited competition would be only a shade better than the system of patronage. Was there any real objection to the system of open competition? The boys who entered the public schools in that way headed the classes, and distinguished themselves at the University. Again he believed that if they asked the opinion of the elder officers upon the subject, they would find that, in general, the presence of young officers on board was a great nuisance, and that they destroyed the discipline and efficiency of the crew. He, therefore, did not see why they should take boys for the Navy at so early an age as 12 or 13; and if the Admiralty would lay down the kind of mathematical and other knowledge which they required to qualify for a commission in the Navy, he believed that the public schools could easily undertake to teach it to lads who wished to prepare themselves for the Navy. What was taught them on board the *Britannia* could not be easily learned by youths of 16 or 17 when they joined. In Germany the cadet joined at 17, and in no country did they join at so early an age as in England. In view of all these considerations, they should select them from the best possible classes and from the whole of the country.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the abolition of limited competition for the appointments of Cadets to the Navy has been injurious to the interests of the Public Service,"—(*Mr. Shaw Lefevre,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. A. F. EGERTON, before going into the merits of the question, which he admitted to be an important one, begged to say, on behalf both of his right hon. Friend the First Lord of the Admiralty and himself, that they were not opposed to the principle of competition. His right hon. Friend had shown this in various ways, more especially in reference to the admission of Marine officers. The real question, however, was, whether that principle was rightly applied to the admission of boys of 11 or 12 years of age. But the hon. and learned Member for Chatham (Mr.

Gorst) had raised even a larger question than that, for he had raised the question what ought to be the age at which officers should enter the Service. It was true that in foreign Navies officers were admitted from the ages of 15 to 17, while in our Service they were admitted up to 13½ or 14. In this case, however, they must be judged by results. He thought we might, with justice, plume ourselves on the fact that we had the best officers of any Power in the world; and surely that said something in favour of the age at which they were admitted. The hon. Member for Reading (Mr. Shaw Lefevre) began his remarks by referring to the causes which had led his right hon. Friend to make this change, and he said it all depended on an error made by a clerk on board the *Britannia*. That, he (Mr. Egerton) would admit, had something to do with it, but there was something else. His right hon. Friend went down to the *Britannia*, and he was struck by the want of physical power in the cadets; they looked rather puny and weak, and he therefore instituted a Committee to consider the subject. That Committee the hon. Member for Reading had attacked. He said they were all against competition; but from their Report, he (Mr. Egerton) would say they were anything but opposed to competition. They referred to the number of hours daily which the boys studied before entering the *Britannia*, and they considered the principle as applied to young boys mischievous. The new system was established consequent on the Report of the Committee; but their Report was corroborated by much older evidence. On this point he would quote the evidence of Sir James Graham in 1861, who said, "that naval cadets were rightly extremely young, and he was afraid if naval cadetships were thrown open to unlimited competition, there would be a system of cramming, injurious to the health of the individuals and not calculated to produce efficient officers." What was the practice of foreign States? The United States Navy was well officered; did they admit by competition? No; but by a test examination. The age of admission, however, was between 14 and 18. So in the French Navy, they were admitted after examination; and the age, which was higher than with us, was between 14 and 17. In the Russian Navy the age was between 15 and 18, and a system prevailed by which all candidates were sent to sea on a trial cruise; and if they liked the sea, they were admitted to the Naval College on a test examination. It would be seen, therefore, that the system of unlimited competition did not exist in any foreign Navy. With regard to patronage, under the old system, two candidates were entered for every vacancy, so that if there were 40 vacancies in the year 80 candidates would be entered, and from these the First Lord selected just as he selected now. The right hon. Gentleman the Member for Pontefract, and others who had filled the office of First Lord, must have selected in the same manner when the names were submitted to them without previous examination. Examination in that case took place after nomination. In fact, there must be some system of selection for the Navy as for the Army, and for the Navy still more than for the Army, because the nominations were fewer. The question of patronage entered very little into the question now before the House. He had stated that under the old system, 80 candidates were named for 40 vacancies, and under the new system 60 were nominated, so that patronage had been rather restricted than otherwise. Now, as to the results, the hon. Member for Reading said the system had been extremely injurious to the Service. He thought that conclusion was erroneous. It was quite true that a certain number of cadets had turned out badly; but that was not the case with the greater number of cadets. The fact was that when the old system was changed, a certain number of cadets was entered under a test examination, which was not properly conducted. It did not include mathematics. The first batch admitted under that examination was inferior to those admitted subsequently. His right hon. Friend took the proper steps to improve the test examination; it had been improved; and the effect of that improvement was only just becoming apparent. The boys could not enter under an improved test examination without notice, and the Report of the Chief Instructor stated, with respect to those admitted last year, the first batch after the full notification of the change were lads of much stronger mental power than their predecessors. The list was more satis-

factory. Ten were of first-class ability, 15 of second-class ability, ten were inferior—["Hear, hear!"]—and three were quite weak. ["Hear, hear!"] Did hon. Gentlemen who cried "Hear hear," think that it would be possible in any group to secure an equality of either mental or physical strength, or that the cadets entered the Naval College in the same relative position as that in which they were admitted on board the *Britannia*? A certain number of boys were bound to fail, and it could not be contended that because a boy passed a certain competitive examination, he should be equally successful in everything he undertook. Bearing this in mind, he looked upon the letter as very satisfactory. His right hon. Friend was not wedded to the present system; but it should not be forgotten that it had not yet been fairly tried. The new test examination had not been long enough in operation to furnish any conclusive data as to its efficacy. It only came into operation in November, and a year or so would show that the officers who came in under the new system were not at all inferior to those who came in under the old test. Under these circumstances, he trusted the House would support him in opposing the Resolution of the hon. Member for Reading.

MR. CHILDERS said, that when he had succeeded Mr. Corry in the Admiralty, that right hon. Gentleman had impressed upon him the great anxiety he felt as to the future of the officers of the Navy, in consequence of the unsatisfactory condition of the young men who had left the *Britannia*, and had also begged and entreated him to introduce some reform which would have the effect of turning out a better class of young officers than had been previously obtained. Accordingly, in 1869, he appointed a Committee of six most able and experienced men to inquire into the subject, and they arrived at the conclusion that some limited competition ought to be introduced in the selection of boys for the *Britannia*. The result was, that since the beginning of 1870 to the beginning of 1875, the whole of the boys in the *Britannia* had been admitted after a moderate, indeed almost an insignificant, amount of competition, and had passed through the *Britannia* under the system of education prescribed by that valuable Committee, and which the present First Lord had abolished. Stating the results of the experience of those five years, he said, that of 345 young men who had been admitted under the system of this very diminished competition, and who had passed out of the *Britannia*, only 8, or 2 per cent, had failed to pass at the end of their term; only 20, or 6 per cent, had either died, or been dismissed for misconduct, or from ill-health, or for some other reason; and 317, or 92 out of 100, had passed satisfactorily, and were now officers of the Navy. There was this further interesting fact to be stated—that of the number who passed, no fewer than 159 went out at the end of their time within five places of the place at which they were admitted. Everybody knew how valuable that result was, as showing the excellence of the system of admission to the *Britannia*. In view of these facts, the history of the five years of limited competition might be regarded as highly satisfactory. The health of the cadets during the same period, according to the Report of the Committee, had improved remarkably. Inquiry showed that there was nothing unfavourable to health in residence on board the *Britannia*, and, moreover, a Return of the heights and weights of midshipmen now serving in the Channel Squadron showed that their health was thoroughly satisfactory, and their physical development better than the health and development of boys at our best public schools. Still there was a grievance. The right of nomination had been looked upon as a valuable piece of patronage; and every officer who had enjoyed it, thought himself injured if his patronage was interfered with, no matter how great a dunce the youth nominated might be. In consequence of this feeling, the system of competition had been distasteful to the body of naval officers. Except, however, in so far as it had been distasteful to many officers, that system had worked well. When his right hon. Friend (Mr. Hunt) came into office, he arrived at a very curious opinion with regard to the cadets on the *Britannia*—namely, that their education had been very much overstrained, and that, in consequence, their health had deteriorated—and on this account he appointed the Committee of 1874, which entirely negatived that opinion. The system, however, was changed, although

10 of the officers who gave evidence were in favour of the principle of competition, and only three were opposed to it. One of these had since changed his mind, and the other two had given the most extraordinary reasons for the resolution to which they had come. One suggested that in order to secure satisfactory nominations, a solemn declaration should be obtained from whoever asked for a nomination, that the boy was likely to make a good naval officer, as if every parent in the country would not be ready to make that solemn declaration. Another of those who objected to competition, said that somebody might work out a scheme giving the House of Commons so many nominations, and that would satisfy everybody. On the Committee of 1869, there were persons of the greatest experience in the education of boys and young men; but on the Committee of 1874, although there were two gentlemen from Oxford and Cambridge well versed in University systems that particular experience was altogether wanting. To compare the two Committees was to compare men who had to grope their way in learning the subject, with men who were eminently qualified to report on a question of this kind. Yet it was upon the decision of these gentlemen that the First Lord of the Admiralty had upset the resolution that had been come to on the recommendation of gentlemen who had passed their whole lives in the study of the education of young men for the Navy. Had the change been successful? His hon. Friend had already given some figures, but he would ask hon. Members to read carefully the two Reports on the Table, in which the results of the four last examinations were given in detail. He would only quote one, which stated that out of 41 boys altogether who had had passed three terms on board the *Britannia*, the examination of 23 was unsatisfactory, and that 3 more were sick during a portion of the examination, showing that in a year and a-half 26 out of 41 had failed as candidates for the Navy. Now, could there be, he would ask, a worse state of things? But what was proposed as a remedy? The Admiralty being in great distress as to how they should deal with this state of things held a sort of Committee, the result of which was disclosed in the papers. One member suggested that there should be no outside examination at all until the cadets passed out, and that, meanwhile, the boys should be examined by their own tutors. This had been wisely rejected. Another suggestion was that there should be no examination till the end of each year. But against this it was said that a large proportion of the boys were so unfit, under the present system, to remain in the Navy, that it was undesirable they should stay even for a half year to prevent others coming in, in place of those rejected! And this after, under the old system, only 2 per cent failed in the whole of their two years. This was not a question of patronage. His right hon. Friend the First Lord of the Admiralty was anxious, he (Mr. Childers) knew, to distribute his patronage with the strictest impartiality; but from the desire of naval officers to retain their patronage, pressure had first been put on the Committee, and next on the Admiralty, and the system which had been established in 1870, and which had been entirely successful, had in consequence been overthrown. As to the American Navy, it afforded an example of the working of patronage in its worst form, and nothing would be gained by a reference to the Navies of other foreign countries. All he could say was that, in his opinion, it was most unwise to go back to the system which the present Government had again set up.

MR. HUNT said, he was in hopes that it might not be necessary for him to address the House that evening, inasmuch as the state of his foot was such as to render standing upon it painful, but he felt bound, after the speech of his right hon. Friend, to say a few words on the subject under consideration. The gentlemen he had selected to inquire into the state of the *Britannia* were, he thought, highly competent to perform that duty. Three of them were naval officers of reputation, and there were two other gentlemen, one from Oxford and one from Cambridge, of the greatest experience, one of them having been for years employed by the Government in competitive examinations in other branches of the Service. Now, the Committee which had been appointed by his right hon. Friend who had just sat down (Mr. Childers) went into the question of general education and made a Report. The Committee which the present Admiralty appointed saw the result of the

changes which his right hon. Friend effected, and it was with that experience they had made the recommendation which he had adopted. As had been stated by his hon. Friend the Secretary to the Admiralty, the principle of general competition was not at all at stake in the present instance. He had maintained the principle of competition with regard to the Civil clerkships as before, and had introduced the system of competition, which did not exist with respect to the Marine officers. The question was whether the late Government did a wise thing in introducing competition amongst boys of tender years, not because competition in itself was injurious, but because the preparation for the competition was such as to throw a great strain on the brains of the children. It was dealt with by the late Sir James Graham, who gave it as his opinion before a Committee that such competition ought not to be applied to such young children.

THE MARQUESS OF HARTINGTON: It is quite evident the right hon. Gentleman is suffering a great deal, and I dare say I shall not be out of Order, if I move that he be heard from his place sitting. [Hear, hear!"]

MR. HUNT said, he was much obliged for the kind consideration of the House, but he would continue for the present to address the House standing. If he found it necessary he would address them sitting. The evidence before the Committee went to show that the boys nominated to compete had to study 9 and 10 hours a-day for six months before the day of examination; and the evidence of some of the successful boys was, that they did not recover the strain upon their strength for two or three months after they returned on ship-board. These were serious facts, and upon them the Committee recommended that the competition examinations should be done away with. He had been very much struck a few months ago, when visiting Oxford, by a remark which had been made by a most able and very experienced tutor, who told him that he had noticed that many more young men came up to the University than formerly wearing spectacles. That, he said, was on account of the great pressure put upon them by competitive examinations, and the members of the Committee had taken the same view in thinking that so severe a strain was injurious to the boys in this case. He had adopted their suggestion in consequence of the reason they gave, and all that he wanted was to obtain the best possible boys for the Service. As for the results of the change, he thought it ought to be made clear to the House that the tests had been altered, and that the preliminary examination now was not as weak as it had been. At one time, however, some boys had been admitted by passing the weak-test examination only, but they were then much wanted in the Service. Naturally, each Report was much against those boys, and he granted that their admission had been a mistake. But the present system was quite different. He had asked the class-masters of the *Britannia* their opinion of the boys who came in under the new system, and they had replied that the boys themselves were as promising as ever, though not so well prepared. The time of study had not been sufficient for them to acquire the proper amount of mathematics, and the masters recommended that mathematics should be added to the subjects of the test examination. That had been done, and the present test was a very stringent one, as the Report of the Chief Naval Instructor showed. The system, however, had not been really tried as yet, inasmuch as it was only established last November. One batch of cadets had been admitted without the preliminary test; two under the new test before mathematics was added, and one batch afterwards. He felt sure that the existing test would not lose its stringency; and the question really was, whether one-half of the boys, or one-third, were to be rejected. A good deal had been said about the appointment of boys to the Navy being governed by political considerations. Now he quite agreed with those who thought that ought not to be the case. Precisely the same applications were made to him as to his Predecessor; Liberal and Conservative Ministers nominated from the same list; in the one case at the request of the Liberal friends, and in the other of the Conservative friends of the candidates. That would always be the case with respect to every Government, for whatever Government might be in power made not the slightest difference. The same number of applications came in on behalf of boys who "had a passion for a sea life," or from parents who wished

their sons to enter the Naval Service. On this subject he spoke for himself, and he was sure his Predecessor in the office would agree with him, that the patronage attached to it was one of their greatest pests. As a matter of fact, he had generally bestowed it on the sons of officers of the Navy, of the Army, or of the Civil Service, who, from what their fathers had done in the service of the State, might be supposed to become good officers. He quite agreed with the hon. Member for Reading that competition at a later period might be desirable; but the period of training in a ship was necessarily short, and he had long been anxious for an entire change in the plan of education, and for the establishment of a College on shore, in which cadets could devote three years instead of two to their studies; and he believed that such a change would be very beneficial to the Naval Service. But so long as training ships were used, he did not see how the time for education could be extended. They might, however, at any rate, look forward to a scheme which would include a three years' education and competition. He was not in the least wedded to the present system, and if he found that it did not produce boys of superior ability, he should be perfectly willing to constitute another. In conclusion, he had only to thank the House for the attention they had given to him.

MR. GOSCHEN said, he felt it his duty briefly to call attention to the observations made by the right hon. Gentleman (Mr. Hunt), who had, he was glad to see, made his appearance again in the House. He was sure that they were all sorry that he was still suffering from indisposition. He was glad, however, that the right hon. Gentleman had been able to state his case with that clearness which always distinguished him. He could not entirely accept the arguments of the right hon. Gentleman; and he wished to call attention to the fact that of the four batches of boys entered since the new system came into operation, one batch was admitted after a weak test. Eighty had been admitted who were found to be totally incapable. On the whole 128 were admitted, 30 per cent of whom were incapable of passing in a competitive examination. That was confessedly a mistake, and he would say no more about it. It would have been better even to have postponed the entries altogether until these boys had qualified themselves, rather than admit cadets on a test which the right hon. Gentleman and his Colleagues admitted to be insufficient. He did not think that the recent test would be sufficient, and he hoped, therefore that the House would support the Motion of the hon. Member for Reading (Mr. Shaw Lefevre), and would enable the right hon. Gentleman to overcome any difficulty which might exist at the Admiralty in opposition to open competition. The present system was so unsatisfactory that he thought the attention of the House ought to be called to it, and, whatever might be the fate of the Motion now before the House, he trusted the right hon. Gentleman would give the House an opportunity, on some future occasion, of discussing and deciding the whole question of the admission of officers to the Service.

CAPTAIN PRICE said, he should vote against the Resolution, because he was opposed to admitting children of 12 or 13 years of age to the Service by competition. At the same time, he was in favour of limited competition.

Question put.

The House *divided*:—Ayes 171; Noes 130: Majority 41.—(Div. List, No. 182.)

NAVY—THE ROYAL MARINES—PROMOTION AND RETIREMENT.

OBSERVATIONS. QUESTION.

ADMIRAL EGERTON rose to call attention to the want of information relating to the promotion and retirement of the Royal Marines. The hon. and gallant Gentleman said, the present system was highly unsatisfactory. The Force in question had been pushed about from pillar to post, and, in fact, they had been treated as if they did not entirely belong to one Service or the other. He must, therefore, urge that both justice and economy required that some remedy should be found for the present state of things. He wished to ask the right hon. Gentleman (Mr. Hunt), if there was any scheme ripened or in contemplation with regard to promotion and retirement; and, if so, whether it would be laid on the Table before it was finally presented to the House?

The Admiralty admitted that what had been done was not satisfactory, for a sum of £5,000 had been taken in the Votes this year to improve matters. It would be much better that, in respect of promotion and retirement, the Royal Marines should be separated from the Army and attached to the Navy, to which they naturally belonged. No high command had ever been given to Marine officers beyond the rank of colonel, no Staff appointment had been ever given to them, and they were entirely shut out from the pecuniary advantages of Service in India. He felt perfectly sure that the First Lord of the Admiralty was extremely anxious that every advantage should be given to the Royal Marines, and it was for the purpose of encouraging the right hon. Gentleman that he had put on the Paper the Resolution which, by the Rules of the House, he was now prevented from moving.

GENERAL SIR GEORGE BALFOUR said, with regard to the Retirement Scheme for the Army, we had entered into a great experiment involving great expenditure and many changes of a novel and totally untested character, and no one knew what the result would be; but the question with respect to the Marines was very simple. It was simply one involving a few promotions in the seniors of each grade. It needed no actuarial calculations, for the obvious remedy was so clearly shown by the Marine List that the most ordinary mind could at once dictate the remedy. All we had to do was to allow the senior officers of the Marines to retire upon increased pensions, and by that way to make room for the captains and subaltern officers below them, many of whom had been in the service 30 years, of those in the captain grades and in that of subaltern 20 years without having a chance of promotion. That retirement would involve none of that heartbreaking system which the Army system contemplated of making officers go on half-pay, long before their physical powers were impaired, and whilst this simple mode of retiring senior officers of Marines on improved pensions would give general satisfaction, and secure for captains and subalterns their promotion in the manner and in the exact course to which the Marines had been accustomed, the country would be spared from the vast outlay which the unknown and doubtful plan for the Army would entail.

SIR JOHN HAY wished to say a few words in favour of the Royal Marines. The mode in which they had been treated during the last two years had been unfortunate even for the Government. The idea of basing the consideration of what was to be done for the promotion of the Royal Marines upon the Report of the Army Commission was entirely a mistake. The Royal Marines were a seniority corps, the same as the Royal Artillery and the Royal Engineers. A Committee, presided over by the right hon. Gentleman the Member for Pontefract, had inquired into the position of these three corps, and while their recommendations had been acted upon in the case of the Royal Artillery and Royal Engineers, the Royal Marines never received any of the benefits which had been received by the other two corps.

MR. ANDERSON said, he had never been able to understand why the claims of the Marines should be postponed till the Royal Commission had presented their Report. He should like now very much to know what was to be done for the Marines. He knew there was considerable difficulty in dealing with the Marines; it was far from easy to cause a flow of promotion in so small a force with so few high appointments, but still he hoped the attempt would be made.

SIR MASSEY LOPES, on the part of the Government said, he was very glad to inform the hon. Gentleman that for some weeks past a Committee of three Gentlemen, one representing the Admiralty, a second the Marines, and a third the Treasury, had been sitting four days in the week at the Admiralty, and giving their time and attention to this subject. Whenever their Report was made, his right hon. Friend would be most anxious to give effect to it, and he hoped the result would be satisfactory to the House. To show that the Admiralty were really anxious to carry out this arrangement, he might state that a Vote of £5,000 had been taken in the Estimates with that view.

MR. SAMPSON LLOYD gave credit to the Admiralty for its intentions, but was dismayed to hear of another Committee on this subject. That meant obstruction and delay, whereas the

whole matter was simple and easy. He should have thought there was sufficient actuarial skill in the City of London to have framed a satisfactory scheme of promotion and retirement for the Royal Marines without delay. In the meantime, a feeling of despair, if not disgust, had been produced in the minds of many of the officers. How could it be otherwise when men had been lieutenants in the Service for 18 years without promotion? He protested against making the interests of the Marines with respect to promotion and retirement subservient to those of the Army, and hoped the Session would not be allowed to pass without substantial justice being done to them.

CAPTAIN PIM said, the question was a very simple one, and he much regretted the Admiralty had not shown as much zeal in dealing with the claims of the Marines as they had exhibited in forwarding the promotion of the Arctic explorers. They really ought out of gratitude, because the Marines were a very valuable body of men. If it had not been for the Marines there would have been a fearful mutiny on board the *Alexandra* the other day—[*Murmurs*]—the mutiny would have become really bad.

MR. HUNT said, he must repudiate any such statement as that made by the hon. and gallant Member. There was no mutiny, and the information on the subject received at the Admiralty in no way confirmed the statement he had made.

CAPTAIN PIM said, the information which reached him was that the Marines had saved the ship from a mutiny.

MR. WHITWORTH, as a matter of common sense, supported the claims of the Marines.

NAVY—CLAIMS OF MR. JOHN CLARE.

OBSERVATIONS.

MR. BIGGAR, in calling attention to the claims of Mr. John Clare on the Government for compensation for inventions and designs, alleged to have been supplied to the Admiralty in connection with metal shipbuilding and the construction of ships of war, observed that the claims being disputed by the Admiralty, the case was referred to a Court of Law in 1865 and 1866. The Court decided that the Admiralty were not bound to give compensation. The evidence as to whether the inventions were or were not new was contradictory. He hoped that if the Government thought Mr. Clare was entitled to compensation they would give him compensation.

NAVY—REPORT OF THE ARCTIC COMMITTEE.—OBSERVATIONS.

MR. LYON PLAYFAIR, in rising to call attention to the Report of the Admiralty Arctic Committee, said: My object is to point out that the lessons to be derived from that Expedition are vastly important to the welfare, not only of our naval, but also of our land Forces, in many conditions when limited food is accompanied with heavy labour. I thought these lessons were so obvious that the Admiralty would have at once proceeded to act upon them; but when I asked the Question in this House, the Secretary of the Admiralty calmly informed us that no other Arctic Expedition was in contemplation, but if another were thought of, then would be the time for a consideration of what produced the breakdown of the late Expedition from scurvy. This want of power of generalization from an important experience is my justification for now asking the attention of the House. The experience of this Arctic Expedition may, however, produce great benefits to the future of our combatant Services, as well as to those civil employments in which labour has to be performed under conditions of imperfect food. Scurvy is not confined to ships; armies in the field suffer from it severely. Our own troops in the Crimea were attacked by it, and the French troops especially felt this terrible scourge. Now, if our Admiralty are to go to sleep upon this important subject until a prospective Arctic Expedition wakens them, much human suffering and unavoidable misery will result, which might have been avoided by accepting the lessons of the late Arctic Expedition. Let me state the case very shortly. Two vessels, the *Alert* and the *Discovery*, were sent out in 1875 to make discoveries in the Polar regions. Their officers and crews were selected with scrupulous care, and were men of experience and vigour. The ship dietaries were sufficient in quantity and varied in quality, except that the ordinary supply

of one oz. of lime juice daily was scarcely sufficient for such a service. The hygienic condition of the ship and its ventilation are much praised by Sir George Nares, the commander, though I think the evidence proves the ventilation to have been deplorably bad. At night the state of the air in the sleeping deck was much worse than it has been found in any of the lowest class of theatres in London at 11 o'clock, for it generally contained from five to eight times as much carbonic acid as good air does. No means were provided for warming the outer air necessary to ventilate the lower decks, and without such means efficient ventilation was impracticable. In our barracks 600 cubic feet of clear space is the regulation allowance for each man, but the *Alert* had only 107, and the *Discovery* 140 cubic feet. In consequence of the want of circulating air, the moisture condensed along with the organic effluvia, and often flowed back on the bedclothes. When the spring came, the men were examined for sledging, and pronounced to be strong and well. But all the witnesses, both medical and nautical, agree that this long confinement probably predisposed the men to the attacks of disease. We now come to the spring sledging. The men were pronounced fit for sledging about the beginning of April, 1876. The subject of sledge dietary had been discussed by the Arctic Committee in England. On no subject has more knowledge been obtained in recent years than in regard to the science of food. Science has taught us how to supply food in direct proportion to the labour to be performed, for the co-efficient of food with respect to labour can now be calculated. But no chemist or hygienist of eminence was called into council on the subject of dietaries in this Arctic Committee. A scheme of sledge dietary was prepared and furnished to Captain Nares. It was altogether different from the ship dietary. Its main substance was pemmican, a very nutritious compound made of dried flesh and fat. Of this, 1 lb. was the ration for each man. Besides this he had 14 oz. of biscuits, 4 oz. of bacon, and 2 oz. of preserved potato, and some other accessaries. The characteristic of this sledge dietary, as compared with the ship's dietary, is the small quantity of vegetables, amounting to only 2 oz. of potatoes. Nothing is more elementary in dietetics than that a deficiency of vegetables promotes scurvy. Where vegetables cannot be procured, lime juice is used, and since its introduction into our Navy scurvy has almost ceased to exist. Of course, the Admiralty authorities could not forget this fact. The Medical Director General of the Admiralty pointed it out in a strongly-worded Memorandum which the Lords of the Admiralty enclosed to Captain Nares in his sailing directions. On the force of this act I am not qualified to speak; but as I observe various distinguished officers of the Navy apparently in readiness to follow me, I leave it to them to say whether the sailing directions in referring to the medical Memorandum gave an order or merely a recommendation. However, there is no doubt that the importance of lime juice to sledging parties was brought before the Commanders of the Expedition. When they were about to start without it, the doctors, both of the *Alert* and *Discovery*, drew the attention of the captain to the omission. They were told that the inconveniences of carrying it were greater than its advantages. Do not let me underrate the inconveniences. Each man ought to have had as a minimum one oz. of lime juice per day. Indeed, two oz. would not have been too much. But the lime juice was frozen into a solid, and besides its own weight, it would have required extra fuel to melt it. This might have been done at the mid-day halt, but it involved additional expenditure of time. Well, these difficulties appeared to Captain Nares so formidable, that he preferred to act on his own responsibility, and rejected the advice of the medical authorities. He was encouraged in this by the remembrance that there had been frequent sledging parties of other Expeditions which had gone without lime juice, and returned either with no scurvy, or with little scurvy. But Captain Nares need not have had to contend with these difficulties at all, if a little foresight and science had been brought into council before the Expedition started. His chief difficulty was the increased weight of the lime juice. As 90 parts out of 100 of lime juice consist mainly of water, why was it not sent out in a concentrated form for the sledging expedition when its importance had been urged? If this

had never been thought of before, surely this idea of concentration would have suggested itself to any man of science had he been consulted in regard to it. But more than a century ago, Dr. Lind showed how lime juice may be concentrated by evaporating its water, and that it can be carried in about a twentieth part of its bulk and weight. Since then, many improvements have been made in concentrating vegetable juices at moderate temperatures by evaporating them *in vacuo*. Carrying out Dr. Lind's idea, lime juice could have been so concentrated that three lozenges a-day sucked by each man would have given him the contents of one oz. of lime juice. But it was not Captain Nares' duty to know about this. That was an actual fault in fitting out the Expedition. I ought to state that Captain Nares had given the men a double amount of lime juice for some time before they started. His intentions were good, for he seems to have thought it possible to saturate the men with lime juice as one can do with calomel. But lime juice is a food, and not a medicine. One might as well try to saturate navvies with beefsteaks and then set them to heavy work upon gruel, as to send men on a long and arduous Expedition without lime juice to complete an imperfect diet. We are now at the point when the sledging expedition started in April, with only two ounces of preserved potatoes to represent vegetable diet, and no lime juice. The sledge crews were put upon the new diet without preparing them for the change. The labour is at once arduous and the cold is intense. But the stomachs of the men rebel against the new food, and they are unable to take their full rations. The dietetic value of their food, independently of its want of vegetables, or its equivalent of lime juice, was sufficient for ordinary labour, but was not sufficient for the extraordinary labour which these brave men then had to undergo. But even if it had been sufficient, the men could not for some time accustom their stomachs to consume the whole rations. Under any circumstances their health must have suffered, but that most depressing of all sufferings, scurvy, need not have appeared if the vegetable had been there in due proportion to the animal diet. On ship-board, under such circumstances of defective food, scurvy appears in about six weeks; but in these sledging parties it attacked the men much earlier. The northern sledging party, which experienced the greatest difficulty, got it in about 10 days; the eastern party, which had similar but somewhat fewer difficulties, in 17 days; and the western party, with a better line of march, in 27 days. Had it not been for the gallant and judicious exertions of Captain Nares and his officers and men in the rescuing parties, far more than three deaths would have represented the mortality resulting from these Expeditions. Out of 60 cases of scurvy, 58 occurred among the men in the sledging parties. Upon this point it is sufficient to quote Captain Nares—

> "Had there been no sledging work, I believe that the disease would not have betrayed its presence among us, and had the officers been called upon from the first to perform as severe labour as the men, I think they would have been equally attacked."

At this time Sir George Nares believed that the men started with the seeds of disease in them, and that these seeds fructified under labour. It had not then struck him that the absence of lime juice from the diet might be the cause of the scurvy. But he thinks otherwise on reviewing the evidence before the Committee of Inquiry, because he says in answer to Question 170—"I consider now lime juice to be an essential article of sledging diet;" and he repeats that opinion in other words at Question 496. I mention this, because Captain Markham denies its value, and scouts at the evidence. The Admiralty, in their letter to Sir George Nares, printed a few days ago, regret that he did not follow the medical counsels on the subject, but admit that he had serious difficulties to contend with. With my strong views of the dietetic error committed, I would not have expressed myself in any stronger terms as to the error in judgment. There has been too severe public condemnation of an error of judgment which many of us might and probably would have committed under like circumstances. As to censuring the Government for conferring honours on these brave Arctic explorers on account of their gallantry in an Expedition never exceeded in its dangers and hardships, I should feel ashamed of myself if it could be believed that my object in drawing attention to this subject was to

challenge the propriety of these honours, or to lessen the lustre of their achievements. My sole purpose is to entreat both the Departments which have charge of the Army and Navy of this country to lay to heart the teachings of this Expedition. I do not wish them to wait another 100 years, as they have done since the time of Dr. Lind, before they try on a large and sufficient scale, whether concentrated lime juice will not answer the purposes of ordinary lime juice. We need not in future expose our armies to attacks of scurvy, if two or three lozenges containing a day's supply can be carried in each man's pocket. We may also profit by the experience of the Expedition in the knowledge that protracted marches and heavy labour cannot be undertaken by men who have long been kept under the bad hygienic conditions of a vitiated atmosphere due to bad ventilation. Our knowledge both as to hygiene and food has greatly improved in late years by the discoveries of science, and it will not do for our public Departments, or for the officers whom they employ, to ignore the teachings of science, and to be satisfied by the more empirical experiences gathered in past Expeditions, for it was that reliance which proved the sunken rock that wrecked the Arctic Expedition in spite of the gallant and intelligent officers who commanded and served in it.

DR. CAMERON shared to the fullest extent the admiration of the right hon. Gentleman (Mr. Lyon Playfair) on the conduct of these Arctic explorers. But he must say that in this case the Admiralty was scarcely entitled to so much credit as he was inclined to give to them. Looking at the Report of the Committee, there appeared to have been a terrible want of foresight. A Committee was appointed before the Arctic Expedition went out; but it would seem from the evidence of Captain Stevenson that this Committee did not fully impress upon Sir George Nares the necessity for lime juice. The Medical Director General of the Navy, Sir Alexander Armstrong, was entitled to be heard on the subject; but his advice had been neglected in the matter of diet and exercise. He recommended that the men should have 2 lbs. of meat per day, but it was only given them for dinner. They were not exercised, as he advised, five or six hours a-day, and whilst he recommended that meat preserved other than by salt should have been supplied to the Expedition, it was proved in evidence that the meat supplied was exceptionally salt and hard. He also recommended that the men should be practised to eat pemmican beforehand. This was not done. The want of lime juice was positively inexplicable. Sir Alexander Armstrong had specially mentioned that it should be taken on sledging parties, but it was not taken, even as a medicine. Captain Markham, however, took several bottles with him, and was able to melt it, and by administering it to men who had scurvy, to alleviate their sufferings. Another remarkable fact was that the surgeons of the Expedition gave instructions to the officers in command of the sledge parties only for the various small accidents that might occur. They did not appear to have thought of the danger of scurvy. The consequence was that the officers did not even recognise the signs of the disease. It was stated that the reason why they did not carry lime juice was because of its weight; but it should be remembered that there were other articles carried which were of equal or greater weight. Rum, for instance, was carried, and some of it used for fuel, although spirits of wine would have answered the purpose better. It was stated that lime juice could not be carried in bottles, because they would burst. As a matter of fact, the bottles taken by Captain Markham did not burst; and, in any case, it could have been carried in skins. The fact appeared to be that an outbreak of scurvy was not anticipated during the first year. Then, again, the ventilation of the ships was defective, but that was a matter which should not have been left to the surgeons when they neared the North Pole, but should have been arranged beforehand. It would have been perfectly easy to introduce heated air. As it was the means adopted, though defective, were very creditable to Captain Nares and his surgeon. Another point was the comparative immunity of the officers. The officers had a much more varied diet than the men, and a much smaller proportion, if any, of them were attacked with scurvy. Very little fresh meat was carried in the Expedition, and there were no eggs, though, by a well-known process, eggs could be kept fresh for several months. Neither was there any con-

densed milk taken out. In fact, the rations of the men appeared to be much on a par with what occurred 25 years ago. The right hon. Gentleman had done good service in showing what was to be done, and what to be avoided in the future, and had proved that, if ever we were to have another Arctic Expedition, we should test the efficiency of such things as condensed lime juice and other anti-scorbutics without loss of time. He had also proved that the failure of the Expedition did not establish the fact that all further investigation was hopeless and ought not to be entered upon.

MR. GOURLEY said, he was of opinion that Sir George Nares was not entirely free from blame. He was, however, justified in not sending lime juice with the sledge parties. No doubt, in not doing so, he went against the opinion expressed by medical men at home and that of his own medical officers. There were, however, two opinions on the subject, and it should be remembered that he had had experience of hot as well as cold countries, and in the latter men were very rarely attacked by scurvy, being more subject to frost-bite. Sir Garnet Wolseley departed from established customs in the Red River Expedition by abstaining from the usual use of alcoholic stimulants—substituting tea, coffee, and milk, and to that he attributed the fact that he had scarcely a single case of sickness from the time he left Montreal to that of his return. There was, however, in all changes nothing like success. He thought they had been too hasty in conferring rewards on Sir George Nares and the Expedition. He thought, however, that there should have been a thorough investigation into the subject at the earliest possible moment, and had that been done the honour which had been conferred on Captain Nares might perhaps have been deferred. He trusted that the experience now gained would be remembered, in order that the use of lime juice might be more carefully attended to on future occasions.

MR. GOSCHEN thought the Admiralty had rather put themselves into a difficulty by the method they had employed of dealing with this matter. The hon. Member who had last spoken (Mr. Gourley) had hinted at the probability of the honour conferred on Sir George Nares having been withheld if the inquiry had taken place sooner. He (Mr. Goschen) must confess he could see nothing in the letter that had been addressed by the Admiralty to Sir George Nares, or in the result of the investigation by the Committee, which could justify the belief that Sir George Nares would have been deprived of the honours justly given to him, even if the inquiry had occurred at an earlier date. The purport of the letter—which had not been circulated amongst hon. Members—was, no doubt, that the Admiralty accepted the conclusions arrived at by the Committee, and while they thought there had been an error in judgment in not issuing lime juice, they felt the force of the reasoning that had guided Sir George Nares, and did not wish to censure him, or to destroy the satisfaction he had derived from the honours he had received from his Sovereign. Some soreness had been expressed either by Sir George Nares or his friends as to the Order of Reference of the Committee which was appointed to consider, amongst other things, "whether the orders issued by the Commander of the Expedition were proper orders," and it was contended that that was really placing Sir George Nares on his trial, and that he ought to have had notice of the charges that were to be brought against him, whereas he was not informed, until he was under examination, that the orders issued by him were called in question. It was further represented that if his conduct was to be inquired into, it should be by officers on active service and in the mode in which such charges were generally dealt with. That might be owing to the inquiry having been so long postponed by the Admiralty, and he could not even now understand why it had not been instituted at a much earlier date. He trusted, however, that Sir George Nares would not attach too much importance to this question of procedure, though the two questions with which the Committee were appointed to deal—namely, the scientific matter and the administration of an officer on active service—were seldom mixed up together and referred to a Committee, as in the present case. He hoped, too, it to be pointed out by the Government that the error of judgment in the case was committed under very difficult circumstances, and did not detract from the general

character of the commander of the Expedition. The House knew how sensitive naval officers were to everything like a reflection upon their professional action; but, on the other hand, the Admiralty were quite justified in calling attention to this error in judgment, although it was one which, in the circumstances, any officer might have made.

DR. LUSH said, it appeared to him that everyone was to be whitewashed connected with the Expedition. Some one, however, had been to blame. No one had expected the Expedition to return within one year without having accomplished its object. The House ought to go somewhat deeper into the matter, and the question for them to decide was whether it should be in the power of any officer to be allowed to run counter to the express directions that he carried with him. If a naval officer were allowed to run counter to the lessons of scientific investigation which experience had conclusively proved to be true, there would be no security against similar failures in future, and he hoped that not one farthing of the public money would ever be voted for an Arctic Expedition again without taking some guarantees that the rules laid down should be strictly observed. The country had expected that the Expedition would be a success; and, in his opinion, it was owing to a dereliction of duty on the part of the managers of the Expedition that it was not a success.

MR. HUNT said, the right hon. Gentleman opposite (Mr. Lyon Playfair) began by complaining that a Question he had put did not receive the answer he had expected; but he (Mr. Hunt) did not regret that there had been some misapprehension as to its purport; for if there had not, they would probably not have heard the interesting statement he had just made, which would be very valuable on account of his scientific treatment of the subject, and also for the generous expressions he had used with reference to the commander of the Expedition. He was very glad, also, the right hon. Gentleman opposite (Mr. Goschen) had expressed himself in the same sense with regard to Sir George Nares. It had been said there was some feeling on the part of the friends of Sir George Nares as to the nature of the tribunal to which this matter had been referred. That was the first time he had heard of the existence of such a feeling. There was no charge made in the terms of the Reference against Sir George Nares. In settling its terms, he (Mr. Hunt) considered, not that there was any charge of disobeying orders to be inquired into, but that the question was whether Sir George Nares had properly exercised the discretion vested in him in framing the dietary of the sledge parties. He did not consider that in the letter the Admiralty addressed to him there was any serious reflection upon him, although it was stated that he ought to have given more weight to the recommendations of the Medical Director General—a view which he believed was generally entertained. He considered Sir George Nares was placed in a difficult position; but if he had disobeyed orders a very different tribunal would have tried the case. Sir George Nares did not disobey orders. [Captain PIM: Sir George Nares did most decidedly disobey orders.] He was not ordered by the Admiralty to follow the recommendations of the Medical Director General; perhaps the Admiralty was to blame for not giving that order, but it was not given, and all that was done was to give him the recommendations of the Medical Director General, expecting, of course, that he would give due weight to them. [Dr. LUSH desired to explain that he had spoken on the understanding that the order had been given.] It might be said the Admiralty ought to have given the order, but they left a large discretion to the commander of the Expedition. They furnished him with instructions prepared by the most experienced Arctic officers, and with the recommendations of the Medical Director General; and, although these might have been carried out to a certain extent, he could not say that it was possible to carry them out fully. As to the statement of the hon. Gentleman opposite (Mr. Gourley) that they were too hasty in awarding honours, the officers who had received promotion and honours were well entitled to them, and he should be sorry if that were not the opinion of the House and of the public. The question given to Captain Nares to solve was a most difficult one—as difficult a one as could be given to a man. The amount of weight to which he was obliged to limit the sledge burdens was such that it was impossible

for them to carry the quantity of lime juice that otherwise would have been supplied to them. No doubt, he was influenced in his decision by the experience of other sledging expeditions, which took no lime juice, and escaped the outbreak of scurvy; that fact, coupled with the great difficulties that would arise from increasing the burden of the sledges, no doubt induced him to start without the lime juice. All these considerations, in his mind, overbore the recommendations of the Medical Director General, particularly when he remembered that the condition and endurance of the men had been more severely tested than had those of men who had dispensed with lime juice without incurring risk. No man could be put in a more difficult position, and, though it was to be regretted that he did not give more weight to the recommendations, every allowance must be made for him in the circumstances; and he should be sorry that anything like censure should be pronounced upon him, when all credit was due to him for the successful way in which he had conducted the arduous undertaking with regard to every other matter. Those who had read the narrative of the Expedition must admire the great readiness of resource displayed by Sir George Nares and by the second in command, and the ability with which the ships were extricated from great dangers and brought home almost in as sound a condition as they were in at starting. To say that the Expedition failed in its primary object on account of the outbreak of scurvy was to misrepresent the facts, for if there had been no outbreak the Expedition could not have reached the Pole. The Pole was impracticable; therefore, it was wrong to say the Expedition failed in its main object by reason of the outbreak of scurvy. It was quite possible that more of the coast of Greenland might have been charted if the outbreak of scurvy had not occurred; but the Expedition never could have reached the Pole. The appearance of delay in issuing the order for the Committee only needed an explanation of the cause. The matter was first referred to the Medical Director General, who called for a great deal of information, and made a report which was referred to Sir George Nares, who wrote a brief letter, in which he expressed a desire to make a further communication, and the second letter raised the issue whether it was possible for the sledge parties to have carried the lime juice; it was not merely a medical question, but it was whether the lime juice could have been carried. He thought that was a matter that might fairly be inquired into, and he was anxious to have a Committee on which reliance could be placed, and which would command the confidence of the public. It was important to have medical men on the Committee; but it was not easy to find gentlemen not in practice who would command public confidence. There was, therefore, some trouble in constituting the Committee, and, though its Report was short, what was substantially a part of it—the paper written by the medical Members of the Committee—was an elaborate and valuable document, which it was a great advantage to the country to possess. The Committee was fairly constituted; it was presided over by an Admiral of great distinction; there were upon it two other Admirals of Arctic experience; and there were also medical gentlemen connected with the Naval Service. He believed the tribunal was as fair a one as could have been constituted, and that it was practically judicial in character. He was sorry if, in accepting its conclusions, they should be thought to detract from the very great merits of Sir George Nares as commander of the Expedition. It was certainly unfortunate that he did not give proper attention to the recommendations of the Medical Director General as to the lime juice, but he believed that very few men placed in Sir George Nares's position would have made fewer mistakes than he had. With regard to the claims of Mr. John Clare, ever since he had been in that House Mr. Clare had persistently made claims on the Admiralty. They had been examined by successive Lords of the Admiralty and by a Court of Law, and had not been sustained, and he was afraid that those who took them up now would find that they were only beating the air. He was not in a position, at all events, to reverse the decision which had already been pronounced in regard to them.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—NAVY ESTIMATES—H.M.S. "INFLEXIBLE."

SUPPLY—*considered* in Committee.

(In the Committee.)

MR. HUNT, in proposing Vote No. 6, said, it was his duty to make a short explanation with regard to certain changes which had been made in the Programme submitted to the House on a former occasion, which the Committee would probably like to hear of. If those changes had not been of a very simple character, he should not have proposed to take that Vote to-night, but the alterations related more to the time to be taken up by certain works than to anything else. Under the original Programme it had been intended to commence by contract certain unarmoured ships. They would not have been completed in this year, with few exceptions. They had also proposed in the Dockyards to undertake the repair of the boilers and the machinery of certain iron-clads. In the ordinary course of things the repairs for those iron-clads, being spread over a longer time, would not have interfered with the requirements of the Service; but, at the present time, they had a larger number of ships than usual afloat, and he thought it desirable, in the present posture of affairs, that they should have more iron-clads ready sooner than might have sufficed if no European disturbance had existed. It was now proposed to get the boilers put in, in the case of five ships, by contract, and thus save a certain charge. If they had proposed to accelerate that operation in the Dockyards it would have involved taking on more men. Such a step was always followed by the discharge of the men, and the usual consequence of that was bad feeling and other evils, which it was well, so far as they could, to avoid. Therefore, the unarmoured ships in the original contract Programme would be postponed for the sake of what was more desirable—the having the repairs of their iron-clad ships accelerated. It had been proposed to construct and complete in the year certain torpedo lighters intended to be used by the War Office in connection with the protection of harbours. Such vessels might be wanted; but they were not of special construction, and they could, if needed, be hired. He therefore wished to postpone their construction for the present, and to substitute for them what could not be hired—namely, some fast vessels for torpedo purposes. Accordingly, he had taken out of the contract Programme those torpedo vessels of a minor description which could be obtained if there was an emergency, and inserted those which they must have specially constructed. Again, they were at present in want of a despatch vessel, and therefore it was desirable to hasten the repairs of the *Lively*. Those changes would make some difference with regard to the tonnage. The work in the Dockyards was left the same as before, and the iron-clad work by contract remained unaltered; but there was a loss of 1,840 tons on the unarmoured ships to be built by contract. The original proposal was to build altogether 20,488 tons, while the amended arrangement showed only 18,648 tons to be built; but then, on the other hand, they would secure the earlier readiness for sea of the iron-clads. That would cause some re-adjustment of the figures of Vote 10, Section 2, partly in consequence of their not having to order the machinery for the unarmoured ships which they did not intend to commence. The right hon. Gentleman concluded by moving the Vote for Dockyards and Naval Yards at Home and Abroad.

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £1,341,680, be granted to Her Majesty, to defray the Expenses of the Dockyards and Naval Yards at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1878."

MR. GOSCHEN said, he did not propose to go into the question of the original Programme at great length; but he should prefer to give special prominence to one or two questions which he desired to put to the right hon. Gentleman, and which he should be sorry to see lost sight of in the wider range which the discussion might take hereafter. With respect to the amended Programme just described, he thought there might be very good reasons for hastening on the iron-clads, instead of proceeding with the building of unarmoured ships. He understood that about 1,800 fewer tons than were at first contemplated, or 18,000 odd tons, instead of 20,400, were to be built in the course of the present year,

with the view of accelerating the repair of the machinery of the iron-clads. He commended the decision of the Admiralty to the special attention of the Committee, and trusted that both the Committee and the country would see in the altered proposals of the right hon. Gentleman some cause for satisfaction. If in the present state of affairs the First Lord of the Admiralty was able to propose, on his responsibility, and without detriment to the Service, the reduction of the tonnage he had originally intended to build by nearly 2,000 tons, they might reasonably infer that the Navy, so far as shipbuilding was concerned, was in a tolerably fair position, and that there was no necessity for the increased Estimates which had been thought requisite in some quarters, where considerable apprehension had apparently existed. The two questions, however, to which he desired to draw the attention of the right hon. Gentleman, and that very specially, were, in the first place, as to the stability of the *Inflexible*, and other ships designed after her model; and, in the next place, the question of torpedoes. With regard to the question of torpedoes, he thought the Committee would decide that it might be wise to increase the number of fast torpedo vessels by two, as the right hon. Gentleman now proposed to do. Recent events had called the attention of the public and the Press very prominently to the subject of torpedoes. He had seen comments in the newspapers which implied that what had lately occurred on the Danube had taken the Admiralty by surprise—that events had occurred they had never thought of, or which, at all events, might not have come within the range of their past experiments. It had been suggested that they must bestir themselves about resisting the attack of torpedoes which were now in use, and so forth. Now, if he (Mr. Goschen) was not mistaken, the right hon. Gentleman opposite would be able to inform the Committee that all those matters had been already considered by the Admiralty for years past—that experiments had been conducted with the view of testing the efficiency of all the various modes of using torpedoes in warfare; and that, therefore, the country need be under no apprehension that those contingencies had not been foreseen. The School for Torpedoes, which was established before the First Lord came into office, had been already doing good work for years, and it had devoted much of its attention to destroying torpedoes in rivers and in forts by various ingenious contrivances, and in protecting ships, whether in motion or at anchor. He was quite sure the Committee would not expect any details which it would not be proper for the right hon. Gentleman to give; but if the right hon. Gentleman was able to state, as he (Mr. Goschen) should have been able to state some years back, that this question of defending ships against torpedoes had been for many years under the thorough and careful consideration of the Admiralty and its officers, he would be saying something which would be most satisfactory to the public. With respect to the other subject, a statement had appeared in the leading journal of that morning with regard to the *Inflexible* which was calculated to alarm the public as much as those had done which had been made respecting that most efficient ship the *Devastation*. No vessel had passed through so severe a criticism as the latter; but it was now generally admitted that she and the *Thunderer* were most efficient ships, and he believed the *Devastation* had shown herself to be a thoroughly sea-going ship during the time she had been in service in the Mediterranean. He believed the right hon. Gentleman himself had retracted the doubt which he expressed when he came into office as to the sea-going qualities of the *Devastation*. [Mr. HUNT: Hear, hear!] The *Inflexible* carried four 80-ton guns, and was defended by 2 feet of armour in certain parts; she was a ship of great power, and with the *Agamemnon* and *Ajax* following, was so important to the country that it was most essential that any doubt with regard to her should be cleared up at once in the frankest and clearest manner possible. The statement which had appeared in *The Times* of that morning was to the effect that if her unarmoured ends should be penetrated by shell she would not have sufficient reserve of buoyancy to preserve her from sinking. He trusted his hon. Friend behind him (Mr. E. J. Reed) would not accept that statement as correct, and that the right hon. Gentleman would be able to hold clear language with regard to it. The *Inflexible* was a ship which

was designed during his (Mr. Goschen's) tenure of office at the Admiralty, and the principle on which she was constructed was that the whole of her armour was concentrated in the centre. She carried her guns in a sort of central tower, which was defended by enormously thick armour, and to enable her to carry that weight, and also to give her the necessary reserve of buoyancy, notwithstanding the penetration of her unarmoured ends, she had been made with a beam of 75 feet. His scientific advisers at the time the ship was under consideration, advised him as follows:—

"We hope, by sub-division and cellular sides, to prevent any appreciable increase of immersion or decrease of stability, but we should not be satisfied with the ship if we could not say, as we now can, that with any possible amount of damage to the unarmoured ends by shot or shell, the ship will continue to float in perfect safety before any damages are made good.—[*Parl. P.* 293, p. 3.]

They further said that—

"It was possible that both cork and canvas would be used to some extent outside the battery or citadel; but that the security of the ship would not be dependent on them."

And that—

"Should the parts of the ship before and abaft the armour become wholly water-logged, the ship would sink one foot deeper than her normal fighting draft."—[*Ibid.* p. 7.]

He would now ask whether the scientific Constructors were able to express with satisfaction that they had carried out that which was the original Programme of the ship. Looking at what he said in that House on the 24th July, 1873, upon the authority of his scientific advisers, he would be glad to know how far the promises made to him had been carried out?

MR. HUNT said, he should not under the circumstances have risen at that period of the discussion; but the right hon. Gentleman opposite (Mr. Goschen) had put to him questions of such grave importance that he thought it desirable that the Committee should be re-assured as soon as possible in regard to the matters at issue. In common with the right hon. Gentleman opposite, he had read the statement to which he referred, and also the leading article founded upon it in *The Times* of that morning. He could only say that when a statement of such a grave character was put forward with regard to the most powerful ship which was afloat, it should be signed by the person making it, so that it might be seen whence the writer obtained his information. The right hon. Gentleman said that it was on the faith of a statement furnished by officers of the Admiralty that he gave orders that the ship should be laid down, and the right hon. Gentleman wished to know whether the opinions of the present Board of Admiralty confirmed the propriety of the orders he gave. He (Mr. Hunt) could assure the right hon. Gentleman that the opinion of the present Board unhesitatingly confirmed the decision that he gave. The design that was adopted for the *Inflexible* had the sanction, in addition to scientific gentlemen concerned in making designs, of the eminent naval gentlemen who advised the right hon. Gentleman at the Board of Admiralty. The ship was now far advanced towards completion, and there had been every opportunity, by means of a model, of testing the ship, not only theoretically but practically. It had been said that if the unarmoured ends of the ship were seriously damaged in action, and if she merely depended upon her centre armour, she must capsize. Now, that was a very serious accusation to make against a ship. The matter had been duly examined by his naval Colleagues. They were satisfied that it was impossible, if the ship were in action, a destruction of her unarmoured ends could take place. They were also satisfied that if the unarmoured ends were blown out, she would not capsize. Therefore, he hoped the Committee and the public would be reassured on this subject. The present Board of Admiralty entirely accepted responsibility for the ship. With the sanction of the Committee, he had laid down the *Ajax* and the *Agamemnon* on the same principle as the *Inflexible*, though they were smaller than the *Inflexible*: and if the *Inflexible* ought to be condemned or distrusted, then, of course, the *Ajax* and the *Agamemnon* ought to be distrusted too. He was asking the Committee that evening to sanction the construction of a third ship of the same character, and he had no hesitation in recommending the Committee to sanction the laying down of another ship. The right hon. Gentleman had asked him a question with regard to torpedoes, and some writers had thought that the ex-

perience of the war now going on ought to make a difference in our views as regarded shipbuilding in connection with their use. He must say he thought we had learnt very little by the war now going on as to torpedoes. If we had learnt anything, he thought we must have learnt that they were not so formidable as we thought. A Turkish monitor had been blown up by a torpedo. Well, several accounts had been given as to how that was done, and they did not agree; but he thought they all came to this—it was done by stratagem. The most circumstantial account was that the ship was approached by a boat manned by men in a certain uniform and commanded by an officer; that they approached as friends, and that while conversation was going on an explosive substance was attached to the cable of the ship. Another account was that they stole by night, under the cover of darkness, and attached this infernal machine to the ship. He ventured to say that if the ship had been a British ship such vigilance would have been exhibited that this could not have taken place. We had had in the last few days an account of an attempt on the part of the Russians to destroy certain iron-clads, and we found that, an Englishman being in command, such vigilance was displayed that the attack of the torpedo boat was entirely frustrated. He thought this was rather re-assuring, and that it showed that the time was not come for dispensing with iron-clads. His own surprise had been that torpedoes had played so little a part in engagements. We were told that torpedoes had been laid down at all the ports and fortified places in the Black Sea. Then we had heard, on the other hand, that Turkish divers had been fishing up torpedoes or cutting the wires which conveyed the electric fluid. In his opinion, torpedoes up to the present had played a very unimportant part in the present war. We had for years been carrying on experiments with regard to torpedoes. One unfortunate ship had been repaired over and over again for the purpose of being knocked to pieces by torpedoes, in order that we might know at what distance a certain charge would take effect on that ship, and he believed we had obtained precise knowledge on that subject. A vast number of officers were acquiring skill in the torpedo practice which was instituted by the right hon. Gentleman. He believed that great perfection had been attained by our officers in the practice of mining and counter-mining. It was said the torpedo was so formidable a weapon that the building of iron-clad vessels ought to be abandoned. He could not bring himself to that conclusion. No doubt, the weapon was one of a very destructive character, but of the use of it in actual warfare we had no experience whatever. Certainly its employment required great judgment and very careful manipulation. We had come to be very perfect in its use in the canal at Woolwich, and in certain basins at the dockyards and in similar places; but we had yet to learn whether it would be efficient in the sea-way. It would be a bold thing to depend on its efficient use as a certainty in circumstances of which we had had no experience. Then the right hon. Gentleman asked him whether any steps had been taken to protect the ships from this machine. This was one of the most anxious questions he had had to consider during the time he had been at the Admiralty, and experiments had been going on continually in connection with it. One of the means of protection was the electric light, which could be so used on board ship as to illumine an immense expanse of water, and in that way reveal the approach of torpedo boats. Another question, and one which had not been lost sight of, was that of producing special ordnance for the destruction of those boats when approaching. There was also the question of wire-netting for the same purpose. Experiments in connection with these matters were still going on, for it was a matter that we could not afford to lose sight of. It was said that one blow from a torpedo properly charged would sink any of our iron-clads. He was informed, however, by his scientific advisers that that was not the case, because the number of compartments into which our modern iron-clads were divided would be a protection, to a certain extent, against that result. Of course, in these matters one ought not to be too positive; but he was told that the *Inflexible* might receive three successful blows from the Whitehead torpedo, and still retain its fighting power. If that was the case, he thought it might go far to re-assure them as to the propriety of continuing to build

iron-clads. Much had been said about the desirableness of building a great many fast vessels for the discharge of torpedoes. No doubt these would be valuable vessels, and in his Estimates he had provided for some; but it must be remembered that they would have but a limited use, inasmuch as they could not serve as general sea-going vessels. The Admiralty was taunted sometimes with not ordering as many as other countries. Perhaps those countries required such vessels to protect their estuaries and harbours; but the Admiralty had ascertained that the fish torpedo could be fired from any of our men-of-war; and so far as the Whitehead torpedo was concerned, he did not think there was any Navy more completely equipped than that of England was at this moment. He had been anxious to show to the right hon. Gentleman and the Committee that the question of torpedoes had received due consideration from the Admiralty, and that it had been gone into with regard both to the offensive and defensive part of it. He hoped the statement he had made would be deemed satisfactory.

MR. E. J. REED said, that in reference to what the right hon. Gentleman the First Lord of the Admiralty had noticed about certain articles which had appeared in *The Times* on the subject of the *Inflexible*, and in particular to the remark, that the author of the statements they contained ought to have put his name to them, he (Mr. Reed) thought it right, as it was he who had been the first to point out the real state of the *Inflexible*, to inform the Committee that the articles had not been written by him; and he must add that the right hon. Gentleman could not fail to know, if he had used his memory, that he (Mr. Reed) was not in the habit of shrinking from putting his name to what he wrote. If the First Lord of the Admiralty had been as fully informed on the subject as he ought to have been, he must have known, indeed, that he had been doing his best for some weeks to keep the discussion in question out of the newspapers. He wished to tell the Committee what he knew of the matter. The discussion had been brought to the narrowest point by the extracts which the right hon. Gentleman the Member for the City of London (Mr. Goschen) had read to the House from papers which had been submitted to him. If the promises made in those extracts had been carried out, then his (Mr. Reed's) view of the *Inflexible* was wrong; but he was equally entitled to say that if his calculations were correct, then those promises had not been fulfilled. It had been the rule, to which there had been only one or two exceptions, that the iron-clad ships had been so constructed that while the armour remained intact the ship was safe from destruction by shot or shell fire; but this rule had been departed from in the case of the *Inflexible*, which might be destroyed without touching the armour at all. When this vessel was described at the Institution of Naval Architects, the right hon. and gallant Gentleman the Member for Stamford (Sir John Hay) and another gallant officer questioned the officer of the Admiralty, and asked this very question. The answer given was not of the most explicit kind; but it amounted, substantially, to what the First Lord had stated to-night—namely, that with the citadel alone, the ship would have the necessary buoyancy and stability, however much injury might be done to the unarmoured ends. On visiting the *Inflexible* from time to time, he (Mr. Reed) found that the unarmoured ends were so very large in proportion to the citadel, as to raise in his mind a doubt as to this important condition being fulfilled. Observing this, and also the introduction of the corked chambers, he designed an *Inflexible* in his own office, and had the whole of the calculations made, the result showing that when these corked chambers were destroyed the vessel would have little or no stability, but would be in a condition to capsize. He had intended to read a paper on the subject before a professional institution; but he thought the matter was so serious that he withdrew that paper and entered into a private correspondence with the present Constructor of the Navy, who was a close connection of his own. That correspondence with the Admiralty was very unsatisfactory in spirit and in substance. In the course of it he was allowed the privilege of seeing the document which would be sent to the Board of Admiralty, in reply to the doubts he had expressed. That document, he thought, was wrong in almost every paragraph, and was of a nature to mislead the minds of civilians and naval officers. This

being so, he was placed in a difficulty, and he determined that when this Vote came on, and when the Committee was asked to sanction the laying down of a fourth ship with these features in it, he would not formally oppose the Vote, because that would be a very delicate thing for him to do in the circumstances, but would state his objections to the Committee. At that time it came to his knowledge, in an indirect manner, that it was the intention of an important journal to publish an article on the subject. He had no connection whatever with the journal in question; but he did what he could to prevent the matter from being made public until the Admiralty had had an opportunity of thoroughly considering it. They had now taken it into consideration, and he never gathered, until the First Lord made his statement to-night, that his position was questioned as to the "capsizeability" of the ship when the unarmoured ends were destroyed. He must assure the First Lord that if he desired to get to the bottom of this matter he must not be content with the statements which he had sustained to-night, as those statements were in distinct discordance with facts and figures which attached to the *Inflexible*. Until to-night he understood that the only difference between the Admiralty and himself was as to whether the corked chambers were incapable of destruction by modern shells. The naval advisers of the Admiralty believed that they were, and it was not his intention to ask the Committee to take any action in the matter. He would suggest that the Admiralty might have adopted the following course for their own satisfaction. They might have had a target of a similar kind made, and have called on the gunners at Shoeburyness to say whether they could not readily destroy it. Or, again, they might have instituted some inquiry in which the evidence of persons outside the Admiralty could be taken. They had not, however, adopted either of those courses, and he did not go so far as to blame them for not doing so. But he deeply regretted that the ship being what she undoubtedly was, that fact had never been stated to the House. All the documentary evidence which had been brought forward had tended to give hon. Members great confidence in the ship. He had acted in this matter because he believed the plan of constructing this ship was entirely wrong; and that being so, it was a consideration for the Committee whether some further inquiry was not necessary.

MR. GOSCHEN thought his hon. Friend the Member for Pembroke (Mr. Reed) was scarcely justified in expressing regret that the question should arise now, because it was of the greatest importance that it should arise at the present time and not later.

MR. E. J. REED explained that he had distinctly stated that it was his intention to raise the question to-night. He did not wish, however, to raise it before the Admiralty had had a proper opportunity of considering the matter.

MR. GOSCHEN meant to say that his hon. Friend, instead of being to blame for raising the discussion, had only done his duty in expressing his doubts to the Committee. The matter could scarcely be allowed to rest in its present position. His hon. Friend had said that no public statement had been made in regard to this ship; but here he thought his hon. Friend was slightly in error, because he (Mr. Goschen) had himself stated, when the ship was first sanctioned by the House, that the requisite of buoyancy would be secured after the unarmoured ends had been shot away. The naval advisers of the Board of Admiralty had asserted that the stability of the citadel was sufficient, and that the suggestion of his hon. Friend was wrong. He trusted that there was no misunderstanding with respect to the words stability and buoyancy; but it had been suggested that as the unarmoured ends were honeycombed into compartments they would be safe from shot or shell. He never knew that his hon. Friend was investigating the matter, and he imagined that they were dealing only with anonymous criticism; but the Committee would think it very satisfactory if, at a later stage, documents could be laid on the Table of the House by the right hon. Gentleman the First Lord which would re-assure them beyond all doubt that the necessary amount of stability and buoyancy was secured. The matter was one which was capable of being settled with mathematical accuracy; and their alarm would not be allayed unless these assurances were given.

SIR JOHN HAY said, that when the *Inflexible* was designed, the right hon.

Gentleman had very wisely permitted a discussion on its merits at the United Service Institution. On that occasion he (Sir John Hay) took part in the discussion. There were two questions raised —first, whether a ship of this kind, if her forecastle and stern, unarmoured, were attacked and destroyed, would she topple over; and, secondly, if her centre, being properly armour-plated, and in good condition to resist shot or shell, would continue to float when the unarmoured ends were destroyed; whether, in fact, she had buoyancy and stability. In both those respects the vessel was pronounced satisfactory. Now, this ship *Inflexible* cost half a million of money. She was the strongest ship the world ever saw, and before further steps were taken with respect to her, and after what the hon. Member for Pembroke had said, it might, perhaps, be desirable that the House should hear these assurances from some other independent Body or Commission. He could only trust, for the sake of alleviating the anxiety of the country, and of its shipbuilding credit, that the hon. Member might be wrong; but until that was proved there would always be some suspicion as to her seaworthiness in the minds both of the country and the vessel's officers and men.

MR. T. BRASSEY wished briefly to refer to the opinions of eminent foreign authorities. A careful review of the arguments advanced by the most competent naval officers abroad showed clearly that it was desirable that our armour-clad ships should be for the most part of smaller dimensions than those already built. For many years past there had been so great a difference of professional opinion on the subject, that it might be very profitable to compare the varieties of foreign opinion with a view to forming our own. He would refer, in the first place, to the opinion of the French Constructors, who were second to none. So long ago as 1873, M. Dislere, an able Member of the staff of Constructors in the French service, had expressed an opinion that armour-plating was obsolete for seagoing cruisers. M. Dislere thought that enough attention was not paid to the new weapons, the ram and the torpedo, against which the iron-clad *Colossus* lost all its advantages. The difficulties produced by torpedoes were, in his opinion, not yet overcome, and it was on that account the more desirable to reduce the dimensions and displacements of fighting ships. Another great French authority laid down the axiom that in future ships would fight with the ram alone. Admiral Jurien de la Gravière said that naval battles between iron-clads would resemble the ancient tournaments, inasmuch as they would consist of a series of charges. After two fleets had thus advanced upon and passed through each other, it would be necessary for them to turn again to renew the attack, in the execution of which manœuvre the slowest vessels would offer their broadsides to their assailants, and would thereby expose themselves to the risk of being destroyed by ramming. At the close of the War of Secession in America, the most distinguished officers were invited to report the result of their recent experiences to the Naval Department. He would more particularly refer to the Report of Admiral Goldsborough. That gallant officer stated that, in his opinion, the ram was the most effective of all methods of attacks, but that its value depended entirely upon the "handiness" of the attacking vessel. Now, to attain this essential quality, it was necessary to avoid the construction of vessels of overwhelming size. The Austrian officers engaged in the naval battle of Lissa, where the ram was used with triumphant effect, were unanimously of opinion that, with skill and pluck, this weapon of attack would always prove invincible. The Chief of the Austrian Constructor's Department had called it "the bayonet of naval warfare." Turning from the foreign services to our own professional advisers, we found that the Chief Constructor of the Navy, Mr. Barnaby, at the Institution of Naval Architects, had read a paper showing that auxiliary squadrons of rams and torpedo vessels afforded the best means of defending our large iron-clads against attack from similar weapons. This paper was received with the highest favour. Sir Spencer Robinson said that no more valuable suggestion had ever been made in his experience. He regretted that the First Lord had not framed his Programme of shipbuilding in accordance with these views. He could not see in it a proposal to increase the number of such vessels in our Navy. He (Mr. Brassey) also advocated the building of ships carrying

a larger number of guns. Our large iron-clads were lamentably deficient in the number of the guns with which they were armed. In addition to the very heavy guns which had been proposed, an armament of non-armour-piercing guns should be provided. There was a wide difference of opinion as to the efficiency of armour protection. In his opinion, a large proportion of the money voted should in future be given to the weapons of attack, of the efficiency of which there could be no doubt, and a smaller proportion to the means of defence, the success of which was doubtful.

MR. BENTINCK said, he was sorry he could not feel the satisfaction which the right hon. Gentleman the Member for the City of London (Mr. Goschen) had told him he ought to feel with the present state of things as regarded the Navy. When this subject was last discussed, he had some reason to think that the tone of that right hon. Gentleman was anything but courteous towards himself in remarking on some observations that fell from him. But courtesy was like poetry—it must be innate; and therefore he need not further descant upon that topic. The right hon. Gentleman had entirely misquoted his remarks and argued on his misquotation. But he was quite sure the right hon. Gentleman had misquoted inadvertently. He (Mr. Bentinck) admitted that we had a large number of full-rigged ships; but they were quite unmanageable under canvas, and their masts and yards were in consequence a mere encumbrance. One of the great problems of the future was, to devise how best to construct a ship with high steam power, whose really vulnerable parts would be safe, and which ship would yet be thoroughly manageable under canvas, and would, by means of that agency, be able to go to any part of the world. He contended that a ship which could not be handled under canvas, looking to the requirements of the British Navy, ought not to be sent to foreign stations. He objected to the comparison of our Navy with the Navies of other countries, because some of these countries would gain financially if their Navies were sunk, while we depended upon ours for the defence of our coast and Colonies and our supply of food; and it might be that we ought to be able to contend against the Navies of the world. Was the Navy in a condition to do these things? If not, let the Navy be placed in that condition. He was sure that the country would give its cordial support to any Minister who would, at any expense, carry out those great objects. We were not in the condition we ought to be—not that we could not meet any probable contingency, but we ought not to expose ourselves to the necessity of making the efforts and the sacrifices involved in insufficient preparation.

MR. SAMUDA said, that even if the worst were to be realized that was predicted by such hon. Gentlemen as the Member for Pembroke (Mr. Reed), the catastrophe would not be so great as was imagined. With respect to the *Inflexible*, the errors could be corrected; but he thought it was disgraceful that a newspaper should have published such an article as that published this morning without attaching a name to it. No man's professional reputation ought to be attacked without some justification. He hoped the First Lord of the Admiralty would, by a Committee or some other way, satisfy the public mind that there was no occasion for anxiety. He agreed with the right hon. Gentleman (Mr. Hunt) in thinking that there was nothing really alarming in the effects of the torpedo as shown in the present war, the Americans, in their Civil War, having accomplished quite as much with that weapon as the Russians had done. At the same time, he thought the events which had occurred on the Danube ought to suggest to the Admiralty the expediency of adding a number of small vessels to our Navy—vessels which would be less liable to torpedo attacks than gigantic iron-clads. It would be unwise, however, to build vessels of the *Alpha Beta* class, recommended by the hon. Member for Hastings (Mr. Brassey), because having a speed of only 7½ knots an hour, it was impossible that they could cope with larger vessels capable of making 13 or 14 knots an hour. As for the ram, it was a mistake. It was only useful for attacking ships which were riding at anchor or incapable of defending themselves. An officer could not make an attack with a ram upon a vessel which meant to elude him, unless he had at least 50 per cent more speed, and was capable of going 15 knots to his enemy's 10. Then, even when a ram could come to close quarters with her adversary, the

danger of a fatal entanglement was very great. But although a perfect ship had not yet been designed, the right hon. Gentleman ought not to cease building, for the experience of the Austro-Italian, the Franco-German, and the Russo-Turkish wars had shown that, irrespective of the merits of particular vessels, the larger and more powerful fleet kept the sea, and that the smaller and inferior one did not venture out at all.

SIR JOHN HAY could not agree with the hon. Member who had just spoken (Mr. Samuda), that the "ram" was not a formidable mode of attack upon an enemy's ships. In the war between Austria and Italy the Austrian Fleet—a small fleet—beat the Italian Fleet—which was a large one—by means of the "ram." In other words, the smaller fleet, by the use of the ram, beat the larger fleet.

MR. SAMUDA explained that his information on the subject was from the very highest authority—namely, Admiral Tegethoff, who was in command of the Austrian Fleet. That gallant officer gave directions to his men to approach the Italian Fleet in a line, and on a certain signal to turn and endeavour each to ram the ship opposite to itself. The orders were obeyed, but the only ship that rammed any of the Italian vessels was the Admiral's own, and he said the effect upon him was so terrible, that nothing would induce him ever again to ram a vessel though he should live 100 years.

MR. SEELY said, that all our interest ought to be centred in the ships about to be built. The hon. Member for Pembroke (Mr. E. J. Reed) having pledged his reputation, which was European, that the *Inflexible* was not seaworthy, he (Mr. Seely) contended that in a question involving so much the value of our Navy, and the lives of so many men, some means ought to be taken to ascertain the correctness of his statements, especially as it was intended to build another ship on the same principle, besides the two already in progress. Such a procedure was the more necessary, seeing that in opposition to the opinion of the hon. Member they had the unanimous opinion of Mr. Barnaby, the First Lord of the Admiralty, and certain Naval Lords. It was a difficult problem to be solved, but it was one that must be solved. He thought he might add that the remarks of his hon. Friend the Member for the Tower Hamlets (Mr. Samuda) with reference to the article which had appeared in the leading journal were most uncalled-for and most unjust; for had it not been for the light which had been thrown on the subject of naval construction by the Press, he doubted whether our Navy would be as efficient as it was at present. As matters stood, he felt disposed to object to the passing of the Vote, unless some assurance was given by the Admiralty that the question at issue would be inquired into. There were several ways in which that might be done. It might be done by means of a Royal Commission, which would have many advantages; but which, however, was open to the objection that, being appointed by the Admiralty, it might be suspected of not being altogether an impartial tribunal. Again, a Committee might be appointed, such as that which sat upon the designs of ships; but that, too, might be supposed to be influenced by professional prejudices. Perhaps, therefore, the best tribunal would be a Committee of that House; and he trusted such a Committee would be appointed. It might be urged against such a Committee that its Members would know nothing about ships, and he admitted that; but then they would bring common sense to bear on the subject, they might take any evidence they deemed necessary, and they would bring to the inquiry unprejudiced minds. Entertaining these views, he should move that Progress be reported, in order that the Vote might be postponed; so convinced was he of the necessity of inquiry.

THE CHAIRMAN said, it was not competent for the hon. Gentleman to move the postponement of the Vote.

LORD ESLINGTON pointed out that, with the exception of the hon. Member for Pembroke (Mr. E. J. Reed) and the hon. Member for the Tower Hamlets (Mr. Samuda), there was scarcely a single Member of the House competent to guide a Committee on so important a subject as the construction of ships, and that the inquiry could, therefore, scarcely be committed to a more unsatisfactory tribunal than that suggested by the hon. Member for Lincoln. The construction of ships was so involved a matter that it ought to be left to the responsibility of the Government of the day. It was a question as to which men of science differed, and they should,

therefore, trust with respect to it to the Executive Government. If the Executive failed, let them be turned out; but while they were in power, to them and to their responsibility the matter of construction ought to be left. Unless the House gave them that power, Parliament would sacrifice the right they now had of controlling the expenditure with regard to the construction of ships of war.

MR. RYLANDS called attention to the importance of the Vote after the statements made by the hon. Member for Pembroke (Mr. E. J. Reed). The Committee were asked to vote a sum on account of an expenditure of over £500,000 for a new iron-clad, in the face of a statement that that type of vessel was utterly objectionable. But the Committee were invited by the noble Lord opposite (Lord Eslington) to submit their consciences and their judgment to the judgment of the Admiralty. Hon. Members were to be shut out from all criticism, because they knew nothing compared with the Admiralty, to whom all was known. But what proof was there that the Admiralty had that amount of knowledge? Had the noble Lord looked back at the history of the Admiralty for the past 25 years? If he had looked back, he would find over the course of that quarter of a century a succession of the most monstrous blunders and dangerous mistakes. Looking back over that period it would be found that when everybody with judgment had come to the conclusion that our old system of three-deckers was obsolete, when as was said by naval officers in 1853, after the destruction of the Turkish Fleet by Russian shells, "there was an end to wooden ships, for they would be blown to lucifer matches," and that they were nothing better than slaughter-houses—in the teeth of the judgments of the greatest authorities in Europe—our Board of Admiralty after the French Administration had begun to construct iron vessels, our Board of Admiralty from both Parties—for the course was adopted by Sir John Pakington as well as the Duke of Somerset—after the idea of three-deckers had been exploded, spent millions of money on wooden line-of-battle ships that were now rotting at Portsmouth, if they had not long since been broken up for firewood. ["No, no!"] These were facts in history. Perhaps some hon. Members were not aware that after the period he had named, we actually, in 1860, spent £13,331,000 on our wooden Navy. And now what had become of those ships? Had they been of any service to the nation who paid for them, or had they done any good to the country? Not a single ship had been of real service, out of those built by the wasteful expenditure of many millions by the Duke of Somerset and Sir John Pakington. The next step taken by this infallible Admiralty Board was to rush at once into the building of iron ships of the *Warrior* and *Black Prince* type. In 1861 they proceeded to build 11 of that class with iron armour 4½ inches thick! 1861 was not so very long since, and then the Admiralty made that great mistake and found their ships with 4½ inch armour were unserviceable. Why, they might as well have covered the vessels with brown paper. No doubt in former days, when Sir John Pakington made the great blunder of re-constructing the British Navy on the "wooden-walls" principle, when wooden-walls were obsolete, no doubt if any criticism had been offered the reply would have been similar to that just made by the First Lord to the right hon. Gentleman the Member for the City of London (Mr. Goschen)—"We entirely accept the responsibility of the course we are prepared to take in the same direction followed by yourselves." We are prepared to go in this direction, said the First Lord, because we have the sanction of the eminent naval officers of the Board. Now, a short time ago he saw in *The Times* an interpretation of the expression "Board of Admiralty." The Board was described as a body of naval men who by no means adopted the science of administration as a profession, but tried their prentice hands at it for two or three years during their intervals of service afloat. [Admiral Sir WILLIAM EDMONSTONE: No.] Was it not a fact? ["No!"] Surely the hon. and gallant Admiral was not able to say that they were placed on the Board because of their previous knowledge of dockyards and shipbuilding, and, having been found competent, remained permanently in that position? He did not think that. Did he not know they were shifted every few years? [Admiral Sir WILLIAM EDMONSTONE: No, he does not.] They were continually changed, and the appoint-

ment of naval men to such important offices as that of the management of dockyards was made for a term of only five years, or three years as suggested by an hon. Member. In three years they were expected to learn the entire business and acquire all the technical knowledge of this difficult question, and the House was told to bow down its intellect to their superior ability. The First Lord thought himself justified in making a complaint of the article in *The Times* of that morning, but he (Mr. Rylands) thought *The Times* had done a great public service; and the hon. Member for Pembroke (Mr. E. J. Reed) had added to the many good services he had rendered the country and the House in having brought the matter before their attention. However right hon. Gentlemen might give themselves mutual support by quoting one another's opinion, and however they might rely on the Board of Admiralty, that reliance was not shared by the country. He thought at the present time there was no doubt whatever that no branch of the Administration of this country stood so low in the opinion of the country as the Naval Service. ["No, no!"] He was stating what he believed was a fact, and anyone who had watched the course of public opinion which found expression in the Press must be aware that there was great dissatisfaction in this respect. If his hon. Friend the Member for Lincoln (Mr. Seely) took the course he proposed, he should support him; for he did not think the Committee should allow themselves to support expenditure for vessels of this new type without insisting that the Government should take some satisfactory means to assure themselves that it was wise to adopt a proposal of the kind. Without such an assurance the Motion to report Progress would have his support.

MR. HUNT said, that in the speech they had just heard they had an instance that naval subjects were not discussed in that House with that knowledge of the subject which hon. Members should possess. He should like to know the names of the wooden three-deckers laid down by Sir John Pakington and the Duke of Somerset. Lord Hampton, when at the Admiralty, distinguished himself by laying down a new class of ship which was quite in advance of the age, and which, in fact, had been followed as a model for subsequent ships. The hon. Member for Burnley (Mr. Rylands) had talked of brown paper armour defences, but he could not have recollected the nature of the ordnance then brought against ships. As soon as armour of a certain thickness was adopted guns were made to pierce it, and the battle between iron plates and guns had been going on ever since. The hon. Member ought not to throw a slur over the able men who had formerly presided over the Admiralty, merely because they did not provide armour-plating of double the thickness required at that particular time. The hon. Member had certainly not contributed much to the information of the House. The hon. Member for Lincoln (Mr. Seely) said the hon. Member for Pembroke (Mr. E. J. Reed) had staked his professional reputation upon the *Inflexible* being an unsafe ship. He (Mr. Hunt) had not heard the hon. Member say that; and he should be very much surprised to hear him make such an assertion. If the hon. Member for Pembroke did not do it for himself, he did not see why anyone should do it for him. He complained, not that the article in *The Times* was, but that the statement of fact was, not signed by some authority. The doubts suggested in *The Times* had previously been conveyed to the Admiralty, and the Admiralty, having gone into the question of the capabilities of the ship with reference to the points there mentioned, had fully made up their minds that there was no ground for such apprehensions. With regard to the suggestion that the matter should be referred to a Committee or Commission, he might point out that the public would not be likely to have more confidence in the decision of a Committee or Commission than it had in the decision of the Board of Admiralty. Whatever body the subject was referred to, the Admiralty must be eventually responsible. His noble Friend below the Gangway hit the right nail on the head when he said—"You must either trust the Board of Admiralty, or else get rid of them." That was what he himself said. Whatever fell from the hon. Member for Pembroke on such a subject was of course well worthy of consideration. As he had told the Committee, the hon. Gentleman had corresponded with the Admiralty on this matter. They had considered what the

hon. Gentleman had to say, and had come to the conclusion that his apprehensions were groundless. No doubt the hon. Member was an authority on these matters, but he was not at the present time responsible to the public. The Admiralty, however, had responsible advisers, and they could not accept the hon. Member's doubts. The Admiralty stood upon their own responsibility, and it was impossible that a Committee of Supply could be a Committee to inquire into the kind of ships or a Council of Construction. The question was one of technicalities, of science, and of experiments, and the Executive must be trusted in this matter. If hon. Members did not trust the Executive, they should frankly say so and change it; but as long as they had an Executive they must trust it on a question of this sort, and he could not consent to trust it to a Committee or a Commission. The Admiralty had taken the greatest pains to ascertain the truth, and had come to an unanimous decision. As Head of the Department, he fully accepted the responsibility in this matter, and asked the Committee to give them their confidence.

MR. E. J. REED hoped nothing had fallen from him that was inconsistent with the doctrines laid down by the noble Lord opposite (Lord Eslington) and by the First Lord of the Admiralty. He entirely agreed that it would be a great mistake for that House to attempt to override the well-considered decision of the Admiralty on a question of the kind. But he was sure the Committee would feel it was very desirable to have an assurance that the true question had been considered by the Admiralty. In the beginning of the discussion he thought it was a question of opinion, and was anxious to hear the decision of the Government; but he was placed in a difficulty, because the figures produced to-night by the late First Lord, and on which he now based his responsibility, were distinctly at variance with the figures which were at this moment recognized within the Admiralty, and which were handed to him as the figures relating to the ship. The two sets of figures were entirely inconsistent with each other. The right hon. Gentleman had read statements to-night in which it was distinctly laid down when the ship was designed that if her unarmoured ends were destroyed she would be submerged 1 foot extra. He had seen statements to the effect that the ship with 800 tons less of coal was submerged, not 1 foot, but more than 2 feet. The right hon. Gentleman seemed to assume that the statements read to the House by the late First Lord were unquestioned; whereas he maintained that they were utterly inconsistent with the paper which he had himself seen at the Admiralty. He concluded by expressing his firm conviction that the First Lord of the Admiralty had committed his responsibility to a decision without knowing the actual facts at issue.

MR. HUNT explained that he had said nothing about figures; but that the conclusion come to was, that if the ends of the ship were completely riddled by shells there would be enough of her left to ensure her stability.

MR. SEELY, after what had fallen from the right hon. Gentleman the First Lord of the Admiralty, thought they ought to have a clear and distinct answer from his hon. Friend the Member for Pembroke to this question—"Do you think the *Inflexible* is a safe ship?"

MR. E. J. REED said, that what he had distinctly stated was that he believed the *Inflexible* might go to sea with perfect safety for any length of time, provided she did not enter on a naval engagement; but that if she did enter on a naval engagement and was attacked by a shell fire and her unarmoured ends were destroyed, she would be left without stability, and would then capsize.

Question put.

The Committee *divided*:—Ayes 231 Noes 14: Majority 217.—(Div. List, No. 183.)

(2.) Motion made, and Question put,

"That a sum, not exceeding £1,207,300, be granted to Her Majesty, to defray the Expense of Naval Stores for Building, Repairing, and Outfitting the Fleet and Coast Guard, which will come in course of payment during the year ending on the 31st day of March 1878."

The Committee *divided*:—Ayes 229; Noes 5: Majority 224.—(Div. List, No. 184.)

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £1,042,000, be granted to Her Majesty, to defray the Expense of Steam Machinery and Ships built by Contract, which will come in course of payment during the year ending on the 31st day of March 1878."

MR. PARNELL, in moving that the Chairman report Progress, said, that he was glad the hon. and gallant Member for Waterford (Major O'Gorman) had shown, by challenging the decision of the House on the two last divisions, what obstruction really meant if carried out with determination.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Parnell.*)

MR. HUNT hoped that the hon. Member would not persevere in the Motion, as the Vote now before the Committee was one cognate to that which immediately preceded it.

MAJOR O'GORMAN said, he desired to make a few remarks, though he thoroughly believed he should be called to Order. It was often difficult to know when one was in Order in the House and when one was not. His reason for the proceeding he had adopted on that occasion was that on Friday night last, when the proposition was made that Ireland was entitled to the same borough franchise as England—[*Cries of* "Question!" *and* "Order!"] Oh, he did not want to speak all, if hon. Members did not wish to listen to him.

MR. NEWDEGATE said, that having been offended by the conduct of the House on a former evening, when the subject under discussion was quite distinct from that now before the Committee, the hon. and gallant Member opposite (Major O'Gorman) had by acting as he had done that evening, being in a minority at one time of 15, and another of 5, taken a course which practically amounted to refusing Supply, thus abusing the forms of the House in a way which almost amounted to contempt of the House and its proceedings.

MR. O'SHAUGHNESSY said, he had voted for the Government, and not with the hon. and gallant Member for Waterford, in the two divisions which had just been taken; but he must protest against the views of the hon. Gentleman opposite (Mr. Newdegate). It must not be supposed that Irish Members were not entitled to refuse Supply under such circumstances as they might deem proper. Whenever Irish Members thought it necessary to take a particular line of action, they would not be precluded from doing so by any smallness of numbers.

MR. BIGGAR hoped the Committee would agree to report Progress.

MR. O'CONNOR POWER also protested against the doctrine of the hon. Member for North Warwickshire. Any two hon. Members had a right to divide the House.

MR. E. J. REED appealed to the hon. Gentleman (Mr. Parnell) to withdraw the Motion, as the Vote was one of urgent importance, and as the right hon. Gentleman the First Lord had evidently come down in great pain to further the Public Business.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow*, at Two of the clock.

Committee to sit again upon *Wednesday.*

SOLDIERS, SAILORS, AND MARINES (CIVIL EMPLOYMENT).

INSTRUCTION TO SELECT COMMITTEE.

MR. CHILDERS, in moving *pro formâ* the following Resolution:—

"That it be an Instruction to the Select Committee on Soldiers, Sailors, and Marines (Civil Employment), That they have power to inquire into the expediency of employing Naval and Military Officers in Civil Departments,"

said that, as Chairman of the Committee, he moved the Resolution in obedience to their instructions; but if pressed to to a division he should vote against it, as he personally disagreed with it.

MR. GATHORNE HARDY said, that if the Committee did the work referred to it, they would perform a good work; while if they extended their inquiry, there would be no chance of reporting this Session. He hoped, therefore, the Motion would not be pressed. Any inquiry as to the employment of officers in the Civil Service ought to be conducted by a separate Committee.

Motion made, and Question,

"That it be an Instruction to the Select Committee on Soldiers, Sailors, and Marines (Civil Employment), That they have power to inquire into the expediency of employing Naval and Military Officers in Civil Departments,"—(*Mr. Childers,*)

—put, and *negatived.*

House adjourned at half after One o'clock.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCXXXIV.

THIRD VOLUME OF SESSION 1877.

EXPLANATION OF THE ABBREVIATIONS.

In Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

Some subjects of debate have been classified under the following "General Headings:"—ARMY — NAVY — INDIA — IRELAND — SCOTLAND — PARLIAMENT — POOR LAW — POST OFFICE — METROPOLIS — CHURCH OF ENGLAND — EDUCATION — CRIMINAL LAW — LAW AND JUSTICE — TAXATION, under WAYS AND MEANS.

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Mercantile Marine Hospital Bill
(*Captain Pim, Mr. Wheelhouse*)
c. Moved, "That the Bill be now read 2°" *May* 16, 1024
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Whitwell*); after short debate, Question put, "That 'now,' &c.;" A. 11, N. 212; M. 201 (D. L. 130)
Words added; main Question, as amended, put, and agreed to; 2R. put off for six months [Bill 79]

Mercantile Marine—North Sea Harbour and Canal of Holland
Question, General Sir George Balfour; Answer, Sir Charles Adderley *May* 4, 317

Merchant Seamen's Bill—Legislation
Question, Mr. Burt; Answer, Sir Charles Adderley *May* 3, 265

Merchant Shipping Acts
Miscellaneous Questions
Deck Cargo Space, Question, Mr. Grieve; Answer, Sir Charles Adderley *June* 14, 1763
Detention of Vessels, Question, Mr. T. E. Smith; Answer, Sir Charles Adderley *June* 15, 1850
Seaworthy Ships—The "Clydesdale," Question, Mr. Grieve; Answer, Sir Charles Adderley *May* 7, 363
The French Steamer "Labrador," Observations, Question, Mr. Mac Iver; Answer, Sir Charles Adderley *April* 27, 33
[See title *Navy—Harbours on the North-East Coast*]

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Derby Corporation (Extension of Borough, &c.), Consid. Amendt. 984; Amendt. 988

Meteorological Office (*Board of Trade*)—*Weather Charts*
Question, Sir Edmund Lechmere; Answer, Sir Charles Adderley *May* 14, 859

Metropolis
Miscellaneous Questions
City Improvements—Chancery Lane and Fleet Street, Question, Mr. Alderman Cotton; Answer, Mr. Gerard Noel *May* 3, 268
Hyde Park, Question, Sir H. Drummond Wolff; Answer, Mr. Gerard Noel *June* 18, 1940
Richmond Park, Question, Sir George Campbell; Answer, Mr. Gerard Noel *June* 18, 1939

Metropolis Improvement Provisional Orders Confirmation Bill [H.L.]
(*The Lord Steward*)
l. Presented; read 1° ●, and referred to the Examiners *May* 14 (No. 72)
Read 2° ● *June* 7
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(*The Lord Steward*)
l. Presented; read 1° ●, and referred to the Examiners *May* 17 (No. 81)
Read 2° ● *June* 7

Metropolis Toll Bridges Bill
(*The Lord Winmarleigh*)
l. Read 2° ● *April* 30 (No. 45)

Metropolitan Commons Provisional Order Bill
(*Sir Henry Selwin-Ibbetson, Mr. Secretary Cross*)
c. Committee ● (*on re-comm.*); Report *June* 11
Read 3° ● *June* 12 [Bill 180]
l. Read 1° ● (*Lord Steward*) *June* 18 (No. 111)

Metropolitan Street Improvements Bill (*by Order*)
c. Moved, "That the Bill be now considered" (*Sir Charles Forster*) *June* 14, 1757
Amendt. to leave out "now," and add "upon Tuesday next" (*Sir Sydney Waterlow*); Question proposed, "That 'now,' &c.;" after short debate, Amendt. withdrawn
Main Question put, and agreed to; Bill considered

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Burial Acts Consolidation, Comm. *add. cl.* 1068

Mills, Mr. A., *Exeter*
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Question, Mr. Macdonald; Answer, Mr. Assheton Cross *June* 11, 1580

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Church of Scotland (The Parochial Electorate), 1826
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c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1° ● *June* 13 [Bill 198]

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Oyster and Mussel Fisheries Order Confirmation Bill [H.L.]
(*The Lord Elphinstone*)
l. Presented; read 1ª *, and referred to the Examiners *May* 15 (No. 73)
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Parliament

LORDS—

Black Rod

The Deputy Lord Great Chamberlain acquainted the House "That Her Majesty had appointed General The Right Honourable Sir William Thomas Knollys, K.C.B., to be Gentleman Usher of the Black Rod in the room of Admiral Sir Augustus William James Clifford, Baronet, C.B., deceased, and that he was at the door ready to receive their Lordships commands," whereupon the House directed he should be called in; accordingly he was called in, and officiated in his place, *May* 3

The Whitsuntide Recess, Question, The Marquess of Ripon; Answer, The Duke of Richmond and Gordon *May* 11, 709

House adjourned on Thursday 17th May to Monday 4th June

Private Bills—The Whitsuntide Recess

Ordered, That Standing Orders Nos. 92 and 93 be suspended; and that the time for depositing petitions praying to be heard against Private and Provisional Order Confirmation Bills, which would otherwise expire during the adjournment of the House at Whitsuntide, be extended to the first day on which the House shall sit after the recess

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PARLIAMENT—COMMONS—*cont.*

Public Business

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Morning Sittings, Question, Sir Charles W. Dilke; Answer, The Chancellor of th · Exchequer *June* 4, 1238

The Salford Election, Explanation, Mr. Gladstone *April* 30, 110

Ascension Day, Ordered, That Committees shall not sit To-morrow, being Ascension Day, until Two of the clock, and have leave to sit until Six of the clock, notwithstanding the sitting of the House (*Mr. Chancellor of the Exchequer*) *May* 9

Sittings of the House, Resolved, That whenever the House shall meet at Two of the clock, the Sitting of the House shall be held subject to the Resolutions of the House of the 30th day of April 1869 (*Mr. Chancellor of the Exchequer*) *May* 15

The Whitsuntide Recess, Question, Mr. Beresford Hope; Answer, The Chancellor of the Exchequer *May* 6, 500

House adjourned on Thursday May 17, to Thursday May 31

Palace of Westminster — Carriage Shelter, Question, Sir William Fraser; Answer, Mr. Gerard Noel *May* 15, 992

Private Bills—The Whitsuntide Recess

Ordered, "That Standing Order 129 be suspended, and that the time for depositing Petitions against Private Bills, or against any Bill to confirm any Provisional Order, or Provisional Certificate, be extended to Thursday the 31st day of this instant May (*The Chairman of Ways and Means*) *May* 17

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Sat First

May 3—The Lord Gormanston, after the death of his Father

May 17—The Marquess of Northampton, after the death of his Brother

The Lord Sudeley, after the death of his Brother

June 4—The Lord Gage, after the death of his Grandfather

June 5—The Earl of Lindsey, after the death of his Brother

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ERRATUM.

Page 1530, line 14 from bottom, *for* "Saturday afternoons" *read* "Sundays."

END OF VOLUME CCXXXIV., AND THIRD VOLUME OF SESSION 1877.

LONDON: CORNELIUS BUCK, 22, PATERNOSTER ROW, E.C.